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TO THE

PP: 2MENT

OF THE

CALCUTTA GAZETTE

FROM

JANUARY TO DECEMBER

1865.



Calcutta:

BENGAL SECRETARIAT OFFICE.

GAZETTE OF INDIA

SUPPLEMENT

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| | Rynd, Lt P C, to be capt | 770 |
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| | SADLER, Gunner J, admtd. to pension 598; admis- | 2500 |
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| | Sartorius, Lt G C, to offe. as asst. consvr. of | |
| 1 | forests, C P 273; to offe. as asst. comr., 2nd | |
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| 1 | Saunders, Capt G B, leave 307; reptd. dep. | 596 |
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| 1 | Scaldwell, Mr R T, joined apptt | 194 |
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| 1 | Scott, Lt A, to be doing duty offr. and offg. qr. mr., | |
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| 1 | Scott, Mr D, transd. to local p. w. estabts. as civil divnl. engr., 2nd class | AP |
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| 1 | Scott, Lt J A, to be an asst. comr., 2nd class, C P | 672 |
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| 1 | Scott, Private W, to be over., 1st grade 606; | |
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| Smith, Lt W G, to offe. as sub-asst. comy. genl., 1st | MARKET S | | 272 |
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| Spry, Surg H W, to rank from Sept. 26th, 1864, 86; | | StGeorge, Maj T G, promn. to lt. col. cancelled | |
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| g. g. o. No. 114 of 27th Jan. 1865, 991; to be | | local rank only | 727 |
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|---|--------------------------|--|-------------|------------------------|
| ordinary member of Council, and having arrived at the Presidency, has this day taken the oaths and seat of an ordinary member of Council under the usual salute Council to meet at Simla General Sir W. Mansfield, K. C. B., to be an | April 10th April 17th | by them | April folio | 28th 16 78 85 |
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SUPPLEMENT TO The Gazette of India.

CALCUTTA, SATURDAY, JANUARY 7, 1865.

OFFICIAL PAPERS.

A SUPPLEMENT to the GAZETTE OF INDIA will be published from time to time, containing such Official Papers and information the Government of India may deem to be of interest to the Public, and such as may usefully be made known.

Non-Subscribers to the Gazette may receive the Supplement separately on a payment of six Rupees per annum if delivered in Calcutta, or nine Rupees four annas if sent by Post.

No Official Orders or Notifications the publication of which in the Gazette of India is required by Law, or which it has been customary to publish in the Calcutta Gazette, will be included in the Supplement. For such Orders and Notifications the body of the Gazette must be looked to.

Government of India.

PUBLIC WORKS DEPARTMENT.

Remunerative Works in Madras from 1357-58 to 62-63.

Abstract Statement of Remunerative Works in Madras from 1857-58 to 1862-63.

| | | CAPITAL. | | Rev | AGGREGATE FINANCIA RESULT. | | | |
|---------------------------------------|--|--|--|--|--|---|---|--|
| NAME OF WORK. | YEAR. | Estimated value of works. | | e for the r paying 4 interest on | ment of 4 | e for the uding pay- l per cent. n Capital. | Profit. | Loss. |
| | • (1) (1) (1) (1) (1) (1) (1) (1) (1) (1) | | Amount. | Rate per cent. on Capital. | Amount. | Rate per cent. on Capital. | | |
| Godavery Anicut with subsidiary works | 1857-58 1858-59 1859-60 1860-61 1861-62 1862-63 | Rs. 32,61,105 31,73,116 32,11,683 32,07,372 32,38,357 33,77,504 | Rs. 3,68,240 6,52,705 9,54,824 18,06,376 13,83,441 14,59,921 | 11:3 20:6 29:7 56:3 42:7 43:2 | Rs | | Rs. 40,32,053 44,80,311 54,01,867 71,74,256 85,23,413 94,98,398 | Rs. |
| (2) Kistna Anicut { | * 1857-58 1858-59 1859-60 1860-61 1861-62 1862-63 | 13,26.007 14,25,312 15,44.309 16,31,721 17,28,457 19,12,699 | 68,659 69,461 1,50,526 1,27,744 1,74,510 2,11,500 | 5·2 4·9 9·7 7·8 10·1 11·05 | | : | 2,245 52,826 1,72,155 2,66,208 4,04,605 5,77,335 | |
| Pennair Anieut | 1857-58 1858-59 1859-60 1860-61 1861-62 1862-63 | 1,24,634 1,29,781 1,74,548 2,19,929 2,54,723 2,55,513 | 8,144 | 6.2 | 4,230 8,387 10,178 958 1,760 | 3·3 4·8 4·6 0·3 0·6 | 18,118 | 28,738 39,475 49,653 50,611 52,871 |

Abstract Statement of Remunerative Works, &c., -(continued.) -

| | | CAPITAL. | | Revi | ENUE. | | AGGREGATE RESU | |
|--|--|--|--|--|--|---|--|--|
| NAME OF WORK. | YEAR. | Estimated value of | Net incom year after per cent. Capital. | e for the paying 4 interest on | ment of 4 | e for the uding pay- per cent. n Capital. | Profit. | Loss. |
| | | works. | Amount. | Rate per cent. on Capital. | Amount. | Rate per cent. on Capital. | | |
| (4) Bachagondanahully Anicut | 1858-59 1859-60 1860-61 1861-62 1862-63 | Rs. 11,477 11,964 11,964 11,964 | Rs 985 875 900 | 8·4 7·3 7·5 | Rs. 466 821, | 4·0 6·9 | Rs | Rs. 6,054 6,875 5,910 5,035 3,412 |
| Palar Anicut in Madras | 1858-59 1859-60 1860-61 1861-62 1862-63 | 38,953 39,283 39,462 59,264 1,36,413 | 4,180 5,596 5,777 | 10·7 14·2 4·2 | 1,571 1,578 | 4·0 2·6 | 25,183 30,729 29,160 27,582 33,339 | |
| Coratoor and Casaveram Anicut | 1858-59 1859-60 1860-61 1861-62 1862-63 | 33,111 36,746 36,746 36,746 36,746 | 26,559 6,753 | 72·2 18·3 | . 164 2,571 1,657 | 7.0 4.5 | 47,506 74,065 71,494 69,837 76,590 | |
| Palar Anicut in North Arcot | 1857-58 1858-59 1859-60 1860-61 1861-62 1862-63 | 5,15,977 5,39,946 5,39,946 5,43,213 5,79,891 6,39,213 | | :: ::: ::: | 17,010 12,366 18,830 17,140 18,966 16,584 | 3·2 2·2 3·4 3·1 3·2 2·5 | = | 36,806 48,536 67,366 84,506 1,03,472 1,20,056 |
| Ponnie Anicut { | 1857-58 1858-59 1859-60 1860-61 1861-62 1862-63 | 47,481 47,481 47,762 47,762 57,763 83,009 | | :: ::::::::::::::::::::::::::::::::::: | 2,610 872 1,795 2,633 2,324 1,291 | 5·4 1·8 3·7 5·5 4·0 1·5 | | 141 4,330 6,125 8,758 11,082 12,373 |
| (9) Cheyar Anicut | 1857-58 1858-59 1859-60 1860-61 1861-62 1862-63 | 12,088 12,088 12,088 46,018 47,518 47,518 | 2,184 635 | 17-6 5-2 | 850 1,986 1,575 391 | 7· 4·3 3·3 0·8 | 5,782 17,183 17,818 7,829 6,254 5,863 | |
| Lower Coleroon Anicut in South Arcot | 1857-58 1858-59 1859-60 1860-61 1861-62 1862-63 | 1,16,469 1,16,469 1,16,469 1,16,469 1,16,469 1,16,469 | 3,34,528 3,72,098 3,30,158 3,67,785 3,98,316 3,99,244 | 287·2 319·4 283·4 315·8 341·9 342·7 | 2 | | 45,66,589 49,38,687 52,68,845 56,36,630 60,34,946 64,34,190 | |
| Vellar Anient | 1857-58 1858-59 1859-60 1860-61 1861-62 1862-63 | 82,156 82,156 82,156 82,156 82,156 82,156 | 61,584 69,017 70,348 81,944 94,011 1,01,803 | 74.3 84.0 85.6 100.3 114.4 123.9 | | | 5,28,824 5,97,841 6,68,189 7,50,133 8,44,144 9,45,947 | |
| (12) Ragavaiyen Channel { | 1857-58 1858-59 1859-60 1860-61 1861-62 1862-63 | 7,443 7,443 7,443 | | 365·0 403·2 328·6 407·5 413:3 51·5 | | | 2,19,508 2,48,940 2,78,403 3,03,733 3,34,495 3,66,582 | |

Abstract Statement of Remunerative Works, &c., -(continued.)

| | | CAPITAL. | | | Rev | ENT | JE. | | AGGREGATE | | Ł |
|---|--|--|--|--|--|-----|--|----------------------------------|---|--------------------------|---|
| Name of Work. | YEAR. | Estimated value of | Net income for the year after paying 4 per cent, interest on Capital. | | | | et charge year, inclu ment of 4 interest on | per cent. | Profit. | Loss. | |
| | | works. | Am | nount. | Rate per • cent. on Capital. | | Amount. | Rate per cent. on Capital. | | | |
| (13) Teruvadi Anicut | 1857-58 1858-59 1859-60 1860-61 1861-62 1862-63 | Rs. 11,455 11,455 11,455 11,455 11,455 | 4 | Rs. 25,130 24,975 20,591 30,403 29,437 30,788 | 219·3 218·0 179·7 265·4 256·9 268·7 | | Rs | | Rs. 2,27,568 2,52,543 2,73,134 3,03,537 3,32,974 3,63,762 | | |
| Vicravandi Anicut | 1857-58 1858-59 1859-60 1860-61 1861-62 1862-63 | 13,716 13,716 13,716 13,716 | -50 | 1,583 1,625 2,531 4,324 4,508 4,733 | 11·5 11·8 18·4 31·5 32·8 34·5 | | :: | | 910 3,44 7,77 12,27 17,01 | 3 7 1 9 | 09 |
| (15) Upper Colercon Anicut in Tanjore | 1857-58 1858-59 1859-60 1860-61 1861-62 1862-63 | 2,39,86 2,39,86 2,39,86 2,39,86 2,39,86 | 5 17 5 5 5 5 5 5 | 5,93,239 7,50,902 5,06,101 5,19,003 5,72,050 6,37,533 | 664·2 729·9 210·9 216·4 238·4 265·7 | | | | 76,96,19 94,47,10 99,53,20 1,04,75,2 1,10,44,21 1,16,81,80 | 01 03 06 56 | |
| (16) Lower Coleroon Anicut in Tanjore | 1857-58 1858-59 1859-60 1860-6 1861-60 1862-6 | $ \begin{array}{c cccc} 2,25,19 \\ 2,25,19 \\ 2,25,19 \\ 2,25,16 \\ 2,25,16 \end{array} $ | 0 0 | 5,802 4,969 10,308 10,757 | 2·6 2·1 4·5 4·7 | | 20,375 2,793 | 9°0 1°2 | | 39 45 14 22 | |
| (17) Kaniempolliem Anicut | 1857-5 1858-5 1859-6 1860-6 1861-6 1862-6 | $ \begin{array}{c cccc} & 42,97 \\ & 42,97 $ | 70 . | | | | 1,080 1,681 1,953 2,230 1,787 1,248 | 3·9 4·3 5· | 2 1 | 32, 34, 37, 38, | 218 899 852 082 869 ,117 |
| (18) Yennamakal Dam | 1857 1858 1859 1860 1861 1862 | 59 28,4 60 22,8 61 22,2 62 21,6 | 68 51 33 15 | 25- 1,71 49 1,48 | 9 1 | 9 | 6,96 4,54 | | | 5 5 13 18 | ,871 ,645 ,813 3,399 3,558 7,686 |
| (19) Nundyar Anicut | { 1861- 1862- | | | 2,61 | | i·5 | = | | 9, | 170 604 | |
| Eastern Coast Canal | 1858- 1859- 1860- 1861- 1862- | $ \begin{array}{c cccc} -60 & 4,97, \\ -61 & 4,97, \\ -62 & 5,04, \end{array} $ | 417 417 091 | 1,9 | | | 7,5 8,8 4,4 | 76 | 1:5 1:8 4,23 4,18 | ,132 ,265 ,844 | |

Abstract Statement of Remunerative Works, &c., -(continued.)

| 2 | | CAPITAL. | (Cemune) a. | REVE | NUE. | | AGGREGATE FINANCIAL RESULT. | | |
|---|------------|--------------------|---|----------|---|-----------|-----------------------------|--------|--|
| Name of Work. Year. | Уелв. | Estimated value of | Net income year after per cent. i Capital. | paving 4 | Net charge year, inclument of 4 interest or | per cent. | Profit. | Loss. | |
| | works. | Amounts | Rate per cent. on Capital. | Amount. | Rate per cent. on Capital. | | 1 | | |
| | La Special | Rs. | Rs. | | Rs. | | Rs. | Rs. | |
| (21) Thaddapully Channel, in the District of Coimbatore | 1862-63 | 24,898 | •• | | 3,928 | 15:7 | | 19,021 | |
| Calingaroyen Chan- nel, in the District of Coimbatore | 1862-63 | 15,284 | | | 8,301 | 54.3 | | 35,821 | |
| (23) Arakencottah Channel, in the District of Coimbatore | 1862-6 | 3 11,12 | 96 | ••• | 2,074 | 18:6 | | 2,07 | |

REMARKS.

The net income has been calculated by assuming, as the standard of comparison, the average of the revenue derived from the land capable of irrigation by the Anicut for five years previous to the construction of the work, and setting down all excess above that average, less the cost of repairs, interest on capital, and other charges as the increase due to the Anicut in subsequent years. In thus fixing the income, other causes independent of irrigation, such as improved cultivation, increase of population, &c., have not been taken into account.

Further, this net annual profit includes the assessment of the land, as well as the value of the water actually supplied, and attributes all increase in the land revenue to the work, being so far a more favourable mode of calculation than is strictly correct; but on the other hand, it leaves out of account all increase in other sources of revenue, viz., Salt, Abkarry, &c., though these may be affected by the improved condition of the people, consequent on the more profitable character of irrigated cultivation.

Where a work has been kept in proper repair, and all the maintenance and conservancy charges added to such expenses, no deduction has been made on account of deterioration by wear and tear from the capital expended in the work.

in the work.



The Gazette of India.

published by Authority.

CALCUTTA, SATURDAY, JANUARY 7, 1865.

mome Department.

LEGISLATIVE.

The following Bill was introduced into the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 16th December 1864, and was referred to a Select Committee, with instructions to make their report thereon in six weeks:—

No. 25 of 1864.

A Bill to amend the constitution of the Chief Court of Judicature in the Punjab and its Dependencies.

Whereas it is expedient to amend the constitution of the Court of the Judicial Commissioner of the Punjab and its Dependencies, and to invest the Judges of the Court constituted under this Act with an original jurisdiction for the trial of certain Civil and Criminal cases; It is enacted as follows:—

1. In this Act-

"Punjab" means the territories for the time being under the government of "Punjab." the Lieutenant-Governor of the Punjab and its Dependencies.

"Lieutenant-Governor" means the Lieutenant-Governor for the time being "Lieutenant-Gov of the Punjab.

"Chief Court" means the Chief Court of the Punjab constituted under this "Chief Court." Act.

"Judge" includes an acting Judge of the Chief Court.

"Barrister" includes Barristers of England or Ireland, and Members of the Barrister." Faculty of Advocates in Scotland.

Words in the singular include the plural: words in the plural include the singular.

Words importing the masculine gender include females.

be styled the Chief Court of the Punjab, and shall consist of two or more Judges, who shall be appointed by the Governor-General of India in Council, and of whom one at least shall always be a Barrister of not less than five years standing: Provided that the person who at the time of the constitution of the Chief Court shall be the Judicial Commissioner of the Punjab shall become a Judge of such Court without further appointment for that purpose.

Precedence of rank and precedence according Judges of Chief to the seniority of their appointments as such Judges.

4. The Judges of the Chief Court shall hold
Tenure of office their offices during the pleasure
of Judges of Chief of the Governor-General of
Court.
India in Council.

Declare m to be made by persons appointed Judges of Act shall make or subscribe Chief Court.

Declare m to be made by persons appointed Judges of Act shall make or subscribe the following declaration before such authority or person as the Lieutenant Governor may commission to receive the same:—

Governor may commission to receive the same:—
"I, A. B., appointed Judge of the Chief Court of the Punjab, do solemnly declare that I will faithfully perform the duties of my office to the best of my ability, knowledge, and judgment."

Appointment of the Registrar of the Chief Court. The Registrar shall be the principal ministerial Officer of the Court, and shall have such powers, and perform such duties, as shall be given and assigned to him by the Court by any rule duly made by the Court under Section 30 of this Act.

7. The Chief Court shall have, and use as occasion may require, a seal to be made under the directions

of the Lieutenant-Governor; and all summonses, decrees, and other process issuing out of the Court shall be stamped with such Seal, and Processes to be sealed with Court seal and signed by Judge or Registrar. signed by a Judge or the Registrar of the Court.

8. The Judges of the Chief Court may, from time to time, and subject to any rules and restrictions which may be prescribed by Appointment and removal of ministeris of ministerial Officers. the Governor-General of India in Council, appoint such and so many Clerks and other ministerial Officers as shall be found necessary for the administration of justice by the said Judges in such Court, and the due execution of the powers and authorities given to them by this Act; and every Clerk and Officer appointed as aforesaid shall be liable to dismissal by order of the Chief Court : Provided that no person shall be removed from any office, the salary of which is one hundred Rupees per mensem or upwards, without the sanction of the Lieutenant-Governor.

9. No person, other than the persons mentioned

Licensing of Advo-cates, and rules regard-ing their qualifications and admission.

in Section 10 of this Act, shall be permitted to appear or act as the Advocate of any suitor in the Chief Court in any action or suit, or

touching any matter whatever, unless such person shall have been previously licensed by the Court to act for the suitors of such Court generally, or specially for the particular occasion; and it shall be lawful for the Judges to make rules for the qualifications and admission of proper persons to act as Advocates in the Court.

10. No such license shall be necessary in the

Saving of Agent for Secretary of State, suitors, and Advocates, &c., of High Courts.

case of (1) any person duly authorized by the Secretary of State for India in Council

and Advocates, &c., of High Courts.

of State for India in Council to appear, plead, or act on his behalf; (2) any suitor appearing, pleading, or acting on his own behalf, or on behalf of a co-suitor; (3) any person who, for the time being, is an Advocate, Vakil or Attorney of any of the High Courts of Judicature in India, or of the Sadr Court of the North-Western Provinces Provinces.

11. The Chief Court may, for any sufficient reason, suspend or revoke any license which shall at any Power to suspend or revoke Advocate's litime be granted by the Court to act generally or specially as an Advocate under this Act.

Fees of Advocates to be subject to control.

Whether general or special, licensed under this Act, or entitled under Social. entitled, under Section 10 of this Act, to act as an Advo-cate for another person in the Chief Court without a

license, shall be subject to the control of the Court, and no fees shall be recoverable by any Advocate except such fees as shall be allowed under Section 30 of this Act.

13. The Chief Court, in the exercise of its Civil and Criminal jurisdic-The Chief Court to be the ultimate Court of Appeal from the Civil and Criminal Courts in tion, shall be the highest Court of Appeal from the Civil and Criminal Courts in the Punjab, and shall be the the Punjab. only Court exercising appel-

late jurisdiction in such cases as are subject to appeal

to the highest Civil and Criminal Court in the Punjab, by virtue of any Regulation or Rule now in force, or which shall become subject to appeal to the Chief Court by virtue of such Law and Regulation relating to Civil or Criminal Procedure, as shall hereafter be made by the Governor-General of India in Council.

14. The Chief Court shall have power to remove and to try and determine as a Court of original Extraordinary original Civil jurisdiction. jurisdiction any suit being or falling within the jurisdiction

of any Court subject to its superintendence when the Chief Court shall think proper to do so, either on the agreement of the parties to that effect, or for purposes of justice, the reasons for so doing being recorded on the proceedings of the Chief

From the date on which the Chief Court is established, all special appeals from the decrees of Courts of whatever grade in Special appeals from Courts in Punjab to lie only to Chief Court. the Punjab shall lie to, and shall be heard by, the Chief Court only, and not by any other Court.

16. Save as in this Act is otherwise provided, the proceedings in the Chief Court in Civil suits of every Regulation of proceeddescription between party and ings in Civil suits. party shall be regulated by the Code of Civil Procedure.

17. In the exercise of its Civil Appellate jurisdiction, such law or In exercise of Civil Appellate jurisdiction, law of Judicial Commisequity and rule of 'good conscience shall (until otherwise provided) be applied by the Chief Court in each case sioner's Court on Appel-late side to apply. coming before it, as would have been applied by the Court of the Judicial

Commissioner of the Punjab had the case come before that Court in the exercise of its Appellate jurisdiction.

18. In the exercise of its original Civil jurisdiction, such law or equity In exercise of original Civil jurisdiction, law of local Court having juris-diction to apply and rule of good conscience civil jurisdiction, law of local Court having jurisdiction to apply.

shall (until otherwise provided) be applied by the Chief Court in each case coming before it, as would have been applied to such case by any local Court having jurisdiction

therein.

19. The Chief Court shall, in the exercise of its original Criminal jurisdiction, have power to try European British subjects Power to try European British subjects. charged with offences punishable under the Indian Penal Code or any other law for the time being in force and alleged to have been committed within the limits of the jurisdiction of the Court. The commitment of every such European British subject shall be made to the Chief Court.

20. Subject to the provisions of this Act, the proceedings on and with reference to every such trial shall be regulated by the Code of Criminal Procedure, Code of Criminal Procedure to regulate proceedings. so far as the same may be applicable.

The Chief Court shall ordinarily hold its sittings at the seat of Gov ernment of the Punjab. But tings. it may from time to time, with the approval of the Lieutenant-Governor, hold sittings at such other Places of holding sitplaces in the Punjab as shall seem convenient.

The Chief Court shall, on or before the first day of January in every year, or at such other con-Chief Court to notify places and times of hold-ing sittings. venient time as shall seem proper, notify publicly the places at which, and the dates on which, it is in-

tended that sittings of the Court shall, during the next ensuing twelve months, be held for the trial of cases under Section 19 of this Act. Such notifications may, from time to time, be altered by the Chief Court, and special sittings ordered to be held at any place as provided in Section 21, of which due notice shall be given.

23. All trials under Section 19 of this Act shall be by jury. In all such trials the jury shall consist of not less than seven Trials under Section 19 to be by jury. persons. Unanimity, or a majority of not less than two-thirds with the concurrence of the Judge, shall be Number of voices nenecessary for a verdict of guilty. In default of such cessary to a verdict of guilty. unanimity, or of such majority with the concur-rence of the Judge, the defendant shall be acquitted.

The Chief Court shall, from time to 24. time, with the assistance of the principal local Officers, cause lists to be prepared and made out in alphabetical order of persons re-siding in the places where the Chief Court shall List of Jurors. hold its sittings who are qualified from their education, ability and character to serve as Jurors. The list shall contain the names, places of abode, and quality or business of every such person, and shall mention the race to which he belongs.

Copies of such list shall be stuck up in 25. the Chief Court, and every such copy shall have a notice subjoined to it, in English and Hindústání, stating that objections to the list will be heard and determined by the Court at a time and place mentioned in the notice.

26. Except as hereinbefore provided, all the provisions of the Code of Criminal Procedure Code apply to Jurors and the list of Jurors shall be Provisions of Criminal Procedure Code applied, so far as the same can be applied respectively, to Jurors and the list of Jurors under this Act: Provided that no person shall be exempt from the liability to serve as a Juror on the ground only of his being in the Military Service of Government: Provided also Military men not exempted. that the Jurors shall be summoned by the Registrar.

27. It shall be at the discretion of the Judge by whom any sentence or order is passed in any criminal case tried under Section 19 of this Judge may reserve points for considera-tion of himself and other Judges of the Chief Court. Act, to reserve any point of law for a Court consisting of such Judge and one or more

other Judges of the Chief Court; and the Court shall thereupon have full power to reveiw the case, or such part of it as may be necessary, and finally to determine such point of law, and to alter the sentence or order passed, and to pass such judgment or sentence, and to make such order as to the Chief Court shall seem right.

28. No sentence of an Officer exercising the powers of a Sessions Judge, and no decree of an Officer exercising Two Judges at least the powers of a Civil Judge, shall on appeal or revision be necessary to reverse or modify sentences or decrees appealed from. reversed or modified save by the order of not less than two Judges of the Chief

Court.

29. Subject to any laws or regulations which may be made by the Governor-General in Council, the Chief Chief Court may provide for exercise of the Court's juris-Court may by its own rules provide for the exercise, by one or more Judges, of the original diction by one or more of its Judges. and appellate jurisdiction vested

in such Court, in such manner as may appear to such Court to be convenient for the due administration of justice.

30. The Chief Court shall have superintendence over all Courts which may be subject to its appellate jurisdiction, and shall have power to Chief Court to superintend subordinate Courts, and to frame rules of practice for itself and such Courts. call for returns, to direct the transfer of an suit or appeal from any such Court to any

other Court of equal or superior jurisdiction, to make and issue general rules for regulating the practice and proceedings of the Chief Court and of such subordinate Courts, to prescribe forms for every proceeding in the said Courts for which it shall think necessary that a form be provided, and also for keeping all books, entries, and accounts to be kept by the Officers and to cettle tables of Fermi be kept by the Officers, and to settle tables of Fees to be allowed to the Advocates, and all Clerks and Officers of Courts, and from time to time to alter any such rule or form or table; and the rules so made, and the forms so framed, and the table so settled, shall be published in the Official Gazette, and after being so published, shall be used and observed in the Chief Court: Provided that such general rules and forms and tables be not inconsistent with the provisions of this Act or any law in force, and shall before they are issued have received the sanction of the said Lieutenant-Gov-

31. The Chief Court shall have jurisdiction in all proceedings pending in the Court of the Judicial Commis-sioner of the Punjab at the time Frovisions as to proceedings pending in Judicial Commisin Judicial Commissioner's Court.

of the constitution of such Chief Court; and all previous proceedings of the Court of the said Commissioners shall be dealt with as if the same had been had in the Chief Court.

32. Save as hereinafter provided, and except in cases appealable to the Decisions and orders of Chief Court to be final Queen in Council, no appeal shall lie from any decision except in cases appeal-able to the Privy Counor order of the Chief Court, eil. whether in the exercise of its Original, Appellate, or Revisional jurisdiction.

If the Chief Court shall consist of two 33.

Procedure when Chief Court consists of only two Judges and there shall be a difference of opinion-

Judges only, and if in any case heard by such Judges sitting together there shall be a difference of opinion between them, the following

course shall be pursued, that is to say :-

(1st.)-If the case be heard in appeal and the difference of opinion shall be on any question of fact in the 1st.—On Appeal on a question of fact. finding of the Lower Court, the finding shall be upheld:

2nd .- If the difference of opinion shall be on a point of law, or of usage having the force of law, the 2nd.—On Appeal on a question of law. ruling of the Lower Court shall in such case also be upheld, unless one of the Judges shall be of opinion that the point is one which ought to be referred to the High Court of Judicature at Calcutta, in which case the Judges shall state the point as to which they differ, and forward such statement, with their own opinions respectively, to such High Court:

(3rd.)—If the case be heard by the Judges in the exercise of the original jurisdiction of the Chief Court, and the difference of 3rd.—In exercise of original jurisdiction on a question of law. opinion shall be on a point of law, or usage having the force of law, the Judges shall state the point on which they differ, and proceed as last hereinbefore provided. The same rule shall be observed when a difference of opinion may arise between two Judges of the Court upon a point of law reserved under Section 27 of this Act:

(4th.)-If the difference of opinion be on a question of fact, the opinion 4th.—In exercise of original jurisdiction on a question of fact.

of the Senior judge shall prevail, and he shall pronounce his decision as the decision of the Court. If such decision shall not be appealable to the Queen in Council, the party dissatisfied therewith may apply for a new trial of such question to be held by a jury consisting of not less than seven persons, and the decision of the Court shall be in accordance with the verdict of the majority of such jury.

34. Cases so referred for the opinion of the said High Court shall be How referred cases to be determined. heard by one or more Judges of such Court, and shall be determined according to the opinion of the ma-jority of the Judges, including in such term not only the Judge or Judges by whom such reference is heard, but also the Judges of the Chief Court by whom the point is referred.

35. The parties to such cases may appear, plead and act in the said High Court in person, or Parties may appear in person, or by Advocate. and the High Court, when it has heard and considered the case, shall transmit a copy of its opi-nion under the seal of the Transmission of Judg-ment of High Court, and proceeding thereupon. Court and the signature of the proper Officer of the the Chief Court. Costs, if any, consequent on the reference of a case for Costs of reference to

the opinion of the High Court under Section 33 of High Court. this Act, shall be costs in the suit.

36. The Chief Court shall keep such regis-

Registers, books, accounts, and statements to be kept and made by Chief Court-

ters, books, and accounts, and submit to the Lieutenant-Governor such statements of the work done in the Court on the Civil and Criminal

sides as may be required by him. The Chief Court shall also comply with such requisitions as may be made by the Governor-General of India in Council or by the Lieutenant-Governor for certified

Copies of records to copies of or extracts from the furnished the Court.

37. Save as is in this Act otherwise expressly. declared, any function which is hereby directed to be per-Chief Court's functions exerciseable by single formed by the Chief Court

Judge or Judges thereof appointed in that behalf by any rule made under Section 30 of this Act.

38. This Act may be cited as "The Punjab Chief Court Act, 1865." Short title.

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill is to alter the constitution, and enlarge the jurisdiction, of the Chief Court of Judicature of the Punjab.

The Punjab is a Non-Regulation Province: no Act of the Indian Legislature, not specially applicable to the Punjab, or generally applicable to the whole of British India, has force there: the Chief Court of Appeal, Reference, and Revision, is presided over by an Officer called the Judicial Commissioner: this office was constituted by a General Order of the Governor-General in Council in 1849, which, under the Indian Councils' Act, has the force of law.

By this Bill a new Court will be constituted, consisting of two or more Judges, and the jurisdiction of a certain class of cases is transferred to it from the High Court of Calcutta. The measure is recommended by the local Government.

One of the Judges must have the same qualifications as are required for a Barrister Judge of the High Court: the appointment of both Judges rests with the Government of India.

The powers of the Court collectively, and of each Judge separately, are carefully defined.

As, for the present, only two Judges are to be appointed, provision is made for the contingency of an irreconcileable difference of opinion on a point of law betwixt the two Judges.

To secure a uniformity of ruling on points of law, no special appeal from any Court will lie to any other Court but the Chief Court.

Provision is made for the distribution of work betwixt the Judges.

The final decision of appeals in all suits regarding Land, and the product of Land, will rest with this Court, except in those Districts in which it is publicly notified that a Settlement of the Land Revenue is actually in progress, during which period such appeals will be disposed of by the Chief Revenue Authority.

The same original Civil jurisdiction is vested in the new Court, which is secured by the Letters Patent to the High Court of Calcutta.

The new Court is vested with original Criminal jurisdiction over European British subjects: the procedure in such cases is regulated.

The 6th December 1864.

R. N. Cust.

WHITLEY STOKES, Offg. Asst. Secy. to the Govt. of India, Home Dept. (Legislative.)

The following Bill was introduced into the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 23rd December 1864, and was referred to a Select Committee, with instructions to make their report thereon in three weeks :-

No. 27 of 1864.

A Bill to amend Act XXV of 1864 (to provide for the solemnization of Marriages in India of persons professing the Christian Religion).

Whereas it is expedient to amend Act XXV of 1864 (to provide further for the solemnization of Marriages in Preamble. India of persons professing the Christian Religion); It is enacted as follows :-

1. From and after the passing of this Act, for the following words in the Emendation of Act seventh Section of Act XXV XXV of 1864, Sec. 7. of 1864:—"By a Clergyof 1864:-" By a Clergyman of the Church of England according to the rites, rules, ceremonies and customs of that Church," shall be substituted the following words:—"By a Glergyman who has received episcopal ordination according to the rites, rules, ceremonies, and customs of the Church of which he is a minister," and such words shall form por-

tion of the said Section. 2. The provisions of the twenty-fourth Section of Act XXV of 1864 shall

Act XXV of 1864, Section 24, not to apply to Clergyman of the Church of Rome licensed to solemnize marriages between 7 P. M. and 6 not apply to a Clergyman of the Church of Rome solemnizing a marriage between the hours of seven in the evening and six in the morning, when he shall have

received a general or special license in that behalf from the Roman Catholic Bishop of the Diocese in which such marriage shall so be solemnized, or from such person as the said Bishop shall have au-thorized to grant such license. And the said twenty-fourth Section shall be read as if the foregoing part of this Section were added thereto as a proviso.

3. Every marriage solemnized by a Clergyman

Registration of marriages solemnized by a Clergyman of the Church

of the Church of Rome shall be registered by the person and according to the form directed in that behalf by

the Roman Catholic Bishop of the Diocese; and

the twenty-fifth Section of Act XXV of 1864 shall be construed as if the former part of this section were inserted in the same Act next after its twenty-sixth Section.

From and after the passing of this Act, Part V of Act XXV of 1864 Part V of Act XXV of 1864 not to apply to marriages between Roshall not apply to marriages between Roman Catholics. But nothing herein containman Catholics. ed shall be construed to invalidate marriages (if any) previously contracted between Roman Catholics under the provisions of

the said Part. 5. The following words shall be added to and shall form part of the fifty. Addition to Act XXV second Section of Act XXV of 1864, Section 52. of 1864 :-- " or to marriages performed between the hours of seven in the evening and six in the morning by a Clergyman of the Church of Rome when he shall have received such general or special license in that behalf as hereinbefore mentioned."

6. In the fifty-fifth Section of Act XXV of 1864 after the words "Clergy-Insertion in Act XXV man of the Church of of 1864, Section 55. Scotland solemnizing a marriage according to the rules, rites, ceremonies and customs of that Church," shall be introduced the following words :- " or not being a Clergyman of the Church of Rome solemnizing a marriage according to the rites, rules, ceremonies and customs of that Church;" and such words shall be read as part of the same Section.

7. To the sixtieth Section of Act XXV of 1864, Addition to Act XXV the following words shall be of 1864, Section 60.

Catholic," wherever used in this Act, shall mean and apply to the Church which regards the Pope of Rome as its spiritual head.

8. The provisions of this Act and of Act XXV of 1864 as amended by This Act and Act XXV this Act shall extend to the of 1864, to extend to Straits' Settlement. territory subject to the Government of the Straits' Settlement; and the Governor of such Settlement

for the time being shall have authority to grant licenses to ministers of religion to solemnize marriages within the territories subject to his Government.

9. The Supreme Court of Judicature in the Straits' Settlement shall have power to try offences Supreme Court in Straits' Settlement to try offences punishable under Act XXV of 1864.

punishable under Act XXV of 1864, and committed within the limits of such

Settlement; and the charge for any such offence shall be investigated and the committals shall be made under the procedure by which such Court is regulated.

Form annexed to this Act to be substituted for Schedule C to Act XXV of 1864.

10. For Schedule C annexed to Act XXV of 1864 shall be subtituted the form annexed to this Act.

Form of Register of Marriages.

Quarterly Returns of MARRIAGES, for

Calcutta, Madras, The Archdeaconry of

(Calcutta, Registrar of the Archdeaconry of Madras, do hereby (Bombay,

I, certify, that the annexed are correct copies of the original and official Quarterly Returns of Marriages Calcutta,

Madras, as made and transmitted to me for the Quarter commencing the within the Archdeaconry of First day of January ending the Thirty-first day of March, in the Year of Our Lord One Thousand Eight Hundred and Sixty-five.

Calcutta,

Madras, Registrar of the Archdeaconry of Bombay.

MARRIAGES solemnized at

Allahabad, Barrackpore, Bareilly, Calcutta, &c., &c.

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STATEMENT OF OBJECTS AND REASONS.

The principal object which the present Bill seeks to attain, is the relief of the members of the Church of Rome residing in India from the operation of certain provisions in Act XXV of 1864 which are stated to have inflicted hardship upon them.

2. The Bill also provides that the operation of Act XXV of 1864 shall extend to the territories subject to the Government of the Straits' Settlement, and indicates the manner in which offences committed against that Act in the said territories shall be disposed of.

The 22nd December 1864.

H. L. ANDERSON.

WHITLEY STOKES, Offg. Asst. Secy. to the Govt. of India, Home Department (Legislative).

HOME DEPARTMENT.

No. 3.

Fort William, the 4th January 1865.

Notifications.—Dr. F. Douglas, Civil Surgeon, Lucknow, has been granted leave for 24 days, from the 1st instant, or from such date as he may avail himself of the same, to proceed to Calcutta, preparatory to applying for furlough to Europe.

No. 4.

The Governor General in Council is pleased to make the following appointments, viz. :—

Dr. H. M. Cannon, Inspector of Prisons in Oudh, to be Civil Surgeon of Lucknow, vice Dr. F. Douglas, from the date on which that Officer may vacate the appointment.

Dr. J. C. Corbyn, Garrison Surgeon, Chunar, to be Inspector of Prisons in Oudh, vice Dr. Cannon.

No. 48.

The Reverend F. C. Viret, Chaplain on the Bengal Establishment, reported his return from leave on the 25th instant.

Mr. Viret's services are placed at the disposal of the Government of Bengal.

No. 49.

The 5th January 1865.

The Governor General in Council is pleased to permit Mr. Alan Swinton to resign the Civil Service from the 23rd of November last.

No. 50.

The Governor General in Council is pleased to invest the under-mentioned Officer in the Central Provinces with the powers of a Magistrate, described in Chapter II, Section 22 of Act XXV of 1861, to be exercised in respect of the prisoners located at Mohtoor.

Captain W. G. M. Strickland, Commanding
Sappers and Miners at Mohtoor.

No. 51.

The 6th January 1865.

The Governor General in Council has been pleased to appoint Mr. N. R. Cumberlege to be Assistant Superintendent of Police of the 2nd grade, in the Berars.

No. 52.

Captain W. G. Grove, Superintendent of Police, 2nd grade, British Burmah, obtained preparatory leave of absence from the 3rd to the 14th of December, and reported his departure from Rangoon on the 15th idem.

No. 53.

The undermentioned Specifications of inventions have been filed, under the provisions of Act XV of 1859, in the Office of the Secretary to the Govern-

ment of India, in the Home Department; copies have been sent to one of the Secretaries to each of the Governments of Bengal, Fort St. George, Bombay, and the North-Western Provinces. A copy of every Specification is open, at all reasonable hours, at the Office of the Secretary to the Government of India, in the Home Department, to public inspection, upon payment of a fee of one Rupee; a certified copy of any Specification will be given to any person requiring the same on payment of the expense of copying:—

No. 210.—Thules Determes, Civil Engineer and part-owner of the Neelapilly Rice Factory at Ingeram, in the Godavery District, for thoroughly cleaning and polishing any quantity of rice.

No. 218.—John Hodgart, Foreman of the Bombay Mint, now residing in Scotland, for improvements in securing or binding cotton or similar

No. 228.—Thomas Frederick Henley, No. 37, Boulevard Malesherbes, Paris, in the Empire of France, for improvements in treating stick-lac when manufacturing shell-lac and lac-dye.

No. 54.

The Reverend E. H. Blyth, Junior Chaplain, is transferred from the North-Western Provinces to Bengal.

R. N. Cust,

Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

POLITICAL.

No. 5.

Fort William, the 5th January 1865.

His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Syud Abdullah bin Omer-el-Djimid as Turkish Consul at Singapore.

GENERAL.

No. 6.

Mr. D. Simson, Commissioner, Fyzabad Division, Oudh, resumed charge of his Office from Mr. F. O. Mayne on the forenoon of the 17th of December.

No. 8.

Lieutenants P. W. Powlett and F. W. Grant are appointed Assistant Commissioners of the 1st and 2nd class respectively in the Berars.

No. 10.

Lieutenant F. Currie, Assistant Commissioner, Roy Bareilly, Oudh, has obtained leave of absence for 24 days from the 1st of January 1865, or any subsequent date on which he may avail himself of the same, to proceed to Calcutta preparatory to applying for furlough to Europe on medical certificate. No. 12.

Lieutenant Colonel J. F. D'E. W. Hall resumed the Command of the Erinpoorah Irregular Force, and the Office of Political Superintendent of Serohie, from Major G. A. Black on the 8th December last.

C. U. AITCHISON,

Under Secy. to the Govt. of India.

Notification.—Whereas it appears to the Chief Commissioner of Oudh that land is required to be taken up at the public expense for a public purpose in the district of Oonao, viz., for a Range for Armstrong Guns, it is hereby notified that the under-mentioned land will be appropriated for this purpose, viz., a plot of land 7,000 yards in length by 500 in breadth, commencing from the Behar and Bunnee road, at the village of Kantha, and running in a north-westerly direction, viâ Surae Joga towards Tehseel Nawabgunge, on the Lucknow and Cawnpore Road.

This Declaration is made under Section 2, Act

VI of 1857.

J. REID,

Secy. to Chief Commr., Oudh.

FINANCIAL DEPARTMENT.

No. 79.

Fort William, the 5th January 1865.

Notifications.—The following Despatch from the Right Hon'ble the Secretary of State for India, No. 282, dated 30th November 1864, is published for general information and guidance.

The revised Code of Civil Absentee Rules will be corrected according to the directions in the Despatch.

Financial. No. 282. India Office, London, 30th November 1864.

To His Excellency the Right Hon'ble the Governor General of India in Council.

SIR,—I have to acquaint you that it has reeently been resolved that Officers of the Indian Civil and Military Services, in this country, on leave of absence, and requiring extensions of leave, instead of being examined by the Examining Physician, as heretofore, shall appear before a Medical Board, of which Sir R. Martin, c. B., is President.

2. In accordance with this arrangement, I have to request that the last Clause of the Appendix to the revised Code of Civil Absentee Rules forwarded with my Financial Despatch dated the 7th instant, No. 262, may be altered as follows:—

"If the applicant for an extension of leave on medical certificate be residing within 20 miles of London, he must produce a certificate from the Medical Board attached to the India Office, showing the necessity for such extension. If residing beyond that distance from London, certificates in the second of the above forms must be produced from two Medical Practitioners."

I have, &c., (Signed) C. Wood.

No. 84.

The 6th January 1865.

Mr. W. J. Raynor, 1st Assistant Deputy Auditor and Accountant General, Madras, is allowed three months' leave of absence on medical certificate, in extension of the twelve months' sick leave which expired on the 17th December 1864.

> E. H. LUSHINGTON, Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Fort William, the 31st December 1864.

No. 1080 of 1864.—The following Military letter, from the Right Hon'ble the Secretary of State for India, No. 141 of the 16th May 1864, is published for general information:—

MILITARY.

INDIA OFFICE;

No. 141. London, the 16th May 1864.

To His Excellency the Right Hon'ble the Governor General of India in Council.

My Military letter No. 414, dated 30th November 1863, informed you that I had declined to interfere with the disposal of stocks of Soldiers' necessaries, which had been supplied to Regiments in India by tradesmen in this country, and which remained in the possession of Corps, after the system of supplying these stores was altered.

- 2. I subsequently received a communication from the Secretary of State for War, suggesting that I should, on the 1st April 1864, take over from Regiments serving in India, such supplies of tradesmen's necessaries as might be then on hand, and charge the Regiments the same price as the tradesmen, the quantities so taken over being credited in the accounts which the Regiments might render to the local authorities.
- 3. By this arrangement, it was added, the Regimental accounts with tradesmen would be closed, and no expense incurred by the Indian Government.
- 4. In reply, I observed that I had consented, with a view to assimilate the practice in India to that which had been introduced into the British Army elsewhere, to undertake the provision of Regimental necessaries in future, but that I did not consider it desirable that the Government of India should be in any way mixed up with former transactions between the Regimental Authorities and the tradesmen, which had been, till that time, conducted entirely under War Office Regulations, subject to the authority of that Department.
- 5. I, therefore, suggested that the Secretary of State for War should issue such orders as might be necessary, with a view to closing, on a given day, the accounts of tradesmen for stores supplied to Regiments under the former system; and I stated that I should be prepared to take over, on the day fixed, upon equitable terms and by arrangement with the War Office, all such necessaries as were considered Regimental by War Office Regulations, provided I was assured that all transactions with the Contractors were thereby closed, so far as the Government of India were concerned.

6. Secretary Earl de Grey has assented to this proposal, on the understanding that, although the arrangements will be made by the War Office, the payments are to be made by the India Office.

7. I transmit, for your information, copy of a Circular, which, with my approval, will be sent from the War Department to Officers Command-

ing Regiments in India.

8. By the terms of this Circular, the balance of Regimental necessaries, which have been supplied by tradesmen, remaining undisposed of on 1st September next, and in good and serviceable condition, will be taken over on account of the Indian Government. On the receipt of the Returns from the Regiments, showing the value of the stores to be accepted by the Local Governments, the amounts due to the tradesmen should be remitted home to the War Office for payment.

9. You will communicate this arrangement to

the Governments of Madras and Bombay.

I have, &c., C. WOOD. (Signed)

CIRCULAR No. 866—(Necessaries.)

WAR OFFICE, PALL MALL, 9th June 1864.

(INDIA.)

I am directed by the Earl de Grey and Ripon to acquaint you that he has decided, with the concurrence of the Secretary of State for India in Council, to relieve the Regiments of all stocks of necessaries belonging to the tradesmen which may be in the Regimental store on the 1st of September next.

I have therefore to request that you will continue to issue the articles of necessaries, the property of the Regimental tradesmen, now in the stores of the Regiment under your Command, up to the 1st September 1864, on which day you should transmit, on the annexed form, a Return of the quantities remaining unissued, and take them over on the public account, continuing to issue the same to the men as heretofore, but crediting the sums realized to the Indian Government. On receipt of these Returns, the India Office will take steps to settle with the Regimental tradesmen for the articles reported unissued on the 1st September, and a credit to a like amount may be taken in the Regimental Books.

These Returns should only include such articles of necessaries as are strictly regulation and authorized by Her Majesty's Warrant, dated 10th October 1862, and all articles therein reported on hand must be in a good and serviceable condition, or otherwise, they cannot be received on the public account.

I am to add that, on receipt of this Circular, you should abstain from ordering further supplies of necessaries from your Regimental tradesmen, and should settle, as far as lies in your power, before the Returns are sent to this Office, the tradesmen's accounts, as the Secretary of State for India has intimated that he cannot hold himself responsible for any money balances due to them over and above the value of the articles enumerated in the

Returns, or for any supplies obtained from them subsequent to the date on which this Circular may reach you.

I have, &c.,

(Signed) (To be made out in Manuscript.)

EDWARD LUGARD.

Articles of Necessaries in store with the Regiment, the property of the Regimental Tradesmen.

| Tradesmen's names and addresses at length. | of the order apply. | | umber of each article in store. | charged by Tradesmen. | Total value of articles. | | | |
|--|------------------------|--|------------------------------------|--------------------------|--------------------------|-------|--|--|
| Tradesm and ad length | Date of the to supply. | Articles | Number | Rate the 1 | £ | s. d. | | |
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Due to Messrs. ... £ Total value £ Do. to Messrs. 33

I do certify on honor that the above named articles are all in a good and serviceable condition, and were ordered prior to the receipt of the War dated Office Circular No. and the prices quoted are those which I have been hitherto paying to Regimental tradesmen.

Comdg.

With reference to the foregoing, His Excellency the Governor General in Council is pleased to direct that Commanding Officers shall, in future make arrangements for the supply of Regimental necessaries under the following regulations; it being clearly understood that all articles taken over from Regiments, as above noticed, are to be issued before any of a similar nature which may be subsequently supplied.

- 2. Only such articles as cannot be procured locally will be supplied by Government.
- Commanding Officers will publish in Orders what articles are available from the store, and what must be purchased from the local markets. A Board composed of Captains and Officers Commanding Companies, with the second senior Officer of the Regiment as President, will determine these lists.
- 4. For such authorized articles of Soldiers' necessaries as cannot be procured locally of good quality or at reasonable rates, Commanding Officers of British Regiments and Batteries of Royal Artillery will forward annual requisitions in triplicate to the Superintendent of Clothing at the Presidency to which the Regiment or Battery may be attached, framed according to the Form A, annexed. When a Regiment, on arrival at a new station, finds that certain articles not previously included in the Annual Indents cannot be obtained locally, Supplementary Indents should be at once sent in

No articles are to be included in these requisitions except such as are sanctioned by the Royal Clothing Warrant of the 10th October 1862, with the addition of Medal ribbon, and tools and materials for Tailors' and Shoemakers' Workshops, as specified in General Order by the Commander-in-Chief of 5th April 1864.

- 5. The extent of such requisitions is to be limited to the probable actual amount of twelve months' consumption, so as to obviate any unnecessary accumulation of stock, and to facilitate the payment for such supplies within the prescribed period.
- 6. These requisitions are to be sent in at the same time as the annual requisitions for clothing.
- 7. The prices charged for these necessaries to Regiments, at whatever station they may be, will be the actual cost of the articles as entered in the priced invoices which will precede or accompany each consignment with the addition of 5 per cent. on their value to cover the cost of packing, freight, and deterioration up to the date of their receipt by the Regiment. The original charges and the percentage will be converted into Indian Currency at 2 shillings per Rupee. The addition to the invoiced price for each particular article will be determined by a Board composed as directed in para. 3, and be published in Regimental Orders.
- 8. As the issues will be made annually, the payments should, in like manner, be completed, as far as practicable, within twelve months from the receipt of the articles at Regimental Head Quarters.
- 9. The Regimental stock of necessaries will be under the immediate charge of the Regimental Quarter Master, but Commanding Officers will be responsible for the due care and preservation of, and regular accounting for, these stores. In the Royal Artillery, Officers Commanding Batteries will have charge of the Battery stock of necessaries.
- 10. All packages containing Soldiers' necessaries, on arrival at the Head Quarters of Regiments or Batteries, are to be opened and carefully inspected by a Board of Officers composed as above directed (para. 3), and a report of their condition and contents duly forwarded to the Examiner of Clothing Accounts.
- 11. As Government undertakes the supply of these necessaries solely in order to ensure the supply to every Regiment at a reasonable price, at whatever station it may be, it must be distinctly understood that the State will not be responsible for any deterioration which may take place after they have been once received by the Regiment in a serviceable condition. To cover any possible loss owing to deterioration whilst in store, a small additional charge may be made, to be fixed by His Excellency the Commander-in-Chief, but in no case to exceed 3 per cent. on the cost price of each article; but the fund so formed is to be applied solely to meet such losses.
- 12. Necessaries will be issued at the prices so fixed in Regiments of Infantry and Cavalry by the

- Quarter Master, on the requisition of Officers Commanding Troops and Companies, and in the Royal Artillery by the Officers Commanding Batteries.
- 13. Regimental Pay Masters or Officers Commanding Batteries will keep the accounts of the necessaries under such orders as may from time to time be issued.
- 14. Quarter Masters of Regiments will furnish a monthly statement to the Regimental Pay Master of the sums to be charged against each Troop or Company, and the amount will be credited monthly in the Regimental Pay List, supported by the voucher marked B.—Officers Commanding Batteries will furnish similar statements to the Circle Pay Masters.
- 15. Regimental necessaries will be accounted for half-yearly in a Regimental or Battery account, in the Forms C. D. or E. (according to the Arm of the service), which Statement is to be attached to the Pay Lists for the months of April and October.
- 16. All articles of Regimental necessaries not peculiar to service in India, which may be in store with a Regiment of British Cavalry or Infantry or a Battery of Royal Artillery ordered Home or to the Colonies, will, as a general rule, be taken with the Regiment or Battery, to be accounted for to the War Office. But articles altogether special to India will be transferred to other Regiments requiring them, under such arrangements as His Excellency the Commander-in-Chief may direct, or be returned into Government store, in communication with the Head of the Clothing Department.
- 17. Commanding Officers of Regiments or Batteries in want of necessaries may apply to any Regiment or Battery, under orders for relief from India, for the transfer of such necessaries as can be conveniently spared.
- 18. All articles thus transferred are to be carefully packed and forwarded at the public expense to the Regiment or Battery requiring them. The receiving Officer will furnish a receipt in the Form F., which must be attached as a voucher to the Half-yearly Necessary Account of the Regiment or Battery transferring them.
- 19. Regimental necessaries will be forwarded on arrival in India to Regimental or Battery Head Quarters at the public expense by the most suitable mode of conveyance available, the charge being paid by the Commissariat Department. On change of quarters, carriage will be supplied in the same manner as for other Regimental stores.
- 20. In the event of a Regiment or Battery being employed on active service in the Field, only such articles as the Commanding Officer may consider absolutely necessary will accompany the Troops, the bulk of the stock being left with the spare clothing and other Regimental stores under the charge of the Officer Commanding the Depôt of the Regiment, or whoever may be specially nominated to such charge.

FORM A.

Requisition for Regimental Necessaries.

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| of the | under my command, for a period of twelve months; and |
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| I further certify that I | have, by a personal inspection of the Books and Stores, satisfied myself that |
| | ossible quantity necessary for the above purpose. |
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| | Signature |

Requisition for Regimental Necessaries required for the

| Description of Stores. | Established Proportion. | Balance in Stock. | Due on former Indents. | Quantity now Indented for. | Remarks. |
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for the Year commencing 1st May 186 .

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Note.—The above Return is to be sent in triplicate, by Officers Commanding Batteries and Regiments, to the Superintendent of Army Clothing. Nothing but Regimental Necessaries are to be Indented for; and the Requisition is to be strictly limited to the probable requirements of the year. This Return is to accompany the Requisition for the annual Regimental Clothing. B.

RETURN showing the Articles of Regimental Necessaries issued on Repayment to Non-Commissioned Officers and Men of the for the Month of for the value of which Credit has been given in the Pay List for the Month ending . 186 .

Month ending Total value of each issued. Number of each Article issued. Price of each. REMARKS. ARTICLES. Total ...

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FORM C.

REGIMENTAL NECESSARIES ACCOUNT

POB

Infantry Regiments.

From Regt. ______
For the Half-year ending _____

INFANTRY

| | List of Ar | | Tins of Blacking. | Brass Balls. | Forage Caps and Straps. | Hair Combs. | Woollen Socks. | Cotton Socks. | Holdalls, | Button Brushes. | Clothes Brushes. | Hair Brushes. | Brass Brushes. | Shaving Brushes. | Shoe Brushes. | Pairs of Braces. | Knives. | Forks. | Spoons. | Razors. | Cotton Shirts. | |
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Verification Certificate.

Certified that we have examined the Stock of Regimental
Necessaries noted as remaining
in Store, and having had counted before us the six articles,
taken at random, as named in
the margin, have found them
to be correct in number.

Nore.—The above form of Account is to be sent in Half-yearly

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| | Sponges. | Button Sticks. | Black Neckties. | Towels. | Flannel Shirts. | Flannel Belts. | Helmet Covers. | Puggries. | · Knapsacks. | Mess Tins and Covers. | Mitts. | Cakes of Soaps. | Cap Covers. | Gaiters. | Garters & Rosettes. | Tartan Høse. | Purse and Belt. | Fatigue Trowsers. | 275555 | Trowsers. | | | |
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FORM D.

REGIMENTAL NECESSARIES ACCOUNT

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Regimental Necessaries Account of

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Verification Certificate.

Certified that we have examined the Stock of Regimental
Necessaries noted as remaining
in Store, and having had counted before us the six articles,
taken at random, as named in
the margin, have found them
to be corrected number.

Note.—The above form of Account is to be sent in Half-year

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| | | | | | | | | | | | | | | | | | | | | | | | | | | | be attached hereto. |
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FORM E.

REGIMENTAL NECESSARIES ACCOUNT

FOR

Royal Artillery.

From ______Batlery _____
For the Half-year ending _____

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| | LIST OF ARTICLE | s. | Tins of Blacking. | Brass Balls. | Forage Caps and Straps. | Hair Combs. | Cotton Drawers. | Woollen Socks. | Cotton Socks. | Holdalls. | Button Brushes. | Clothes Brushes. | Hair Brushes. | Shoe Brushes. | Shaving Brushes. | Pairs Braces. | Stable Jackets. | Knives. | Forks. | Spoons. | Razors. |
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| 2 | | in Store, and having had count- |
| 3 | | ed before us the six articles, |
| 4 | | taken at random, as named in |
| 5 | | the margin, have found them |
| 6 | | to be correct in number. |

Nore,-The above form of Account is to be sent in Half-yearly

| Linan Thousans | Sponges. | Spurs. | Scissors, | Button Sticks, | Black Neckties. | Towels. | Flannel Shirts. | Flannel Belts. | Oil Tins. | Helmet Covers. | Puggries. | Cloth Valise. | Knapsacks. | Tin Mugs and Covers. | | Cakes of Soap. | Cap Covers. | Brush Bags. | Canvas Bags. | Shaving Bags. | Stable Bags. | Purses, | Horse Rubbers. | Trowser Straps. | |
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| 1 | (Signed) | Captain. | |
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Note.—The above List, duly Certified, is to be returned by the Officer Commanding the receiving Regiment or Battery, and is to be ttached to the Half-yearly Account of the transferring Regiment or Battery, as a voucher for striking out the Articles.

The 3rd January 1865.

No. 1 of 1865.—His Excellency the Governor General in Council is pleased to make the following appointment :-

Captain J. Angelo, Wing Officer, 8th Native Infantry, Officiating Brigade Major, to be a Brigade Major on the Establishment, in succession to Major H. F. Brooke, appointed Assistant Adjutant General of Division.

No. 2 of 1865 .- The following Regimental Order issued to the Calcutta Volunteer Rifle Corps

Dated 29th December 1864.—Notifying the following promotion, subject to his passing the prescribed examination in drill :-

No. 1 Company.—Ensign C. J. Connew to be Lieutenant, vice Lieutenant H. W. Payne, resigned.

No. 3 of 1865.—The under-mentioned Officers having completed twenty years' service, six years of which were on permanent Staff employ, to be Majors, from the dates specified opposite to their respective names, under the Royal Warrant of the 16th January 1861, subject to Her Majesty's approval :-

Bengal Staff Corps.

... 29th December 1864. Captain S. Black

Ditto. E. P. Lloyd ...

Ditto. C. H. Hall ***

Ditto. J. C. Millar ...

No. 4 of 1865.—The under-mentioned Warrant Officer is permitted to proceed to Europe on leave of absence on sick certificate:—

Conductor James Lynch, of the Ordnance Commissariat Department, attached to the Office of the Examiner, Ordnance Accounts.

No. 5 of 1865,-Ressaldar Bahadoor Khan Bahadoor of the 2nd Regiment, Sindh Horse, is promoted from the 2nd to the 1st Class of the "Order of British India," with the title of "Sirdar Bahadoor."

Subadar Khanday Sing, of the 5th Regiment Bombay Native Light Infantry, is admitted to the 2nd Class of the "Order of British India," with the title of "Bahadoor." From the 18th September 1864, insuccession to pen-sioned Ressaldar Major Shaik Mahomed Sirdar Bahadoor, deceased.

The 4th January 1865.

No. 6 of 1865.—The following order issued by the Resident at Hyderabad is confirmed:-

No. 227, dated 9th December 1864.—Permitting Assistant Surgeon J. T. J. Doyle, 1st Infantry,

Hyderabad Contingent, to proceed to Bombay, preparatory to proceeding on medical certificate to Europe.

No. 7 of 1865.—The under-mentioned Officer having completed twenty years' service, six years of which were on permanent Staff employ, to be Major, from the date specified opposite to his name, under the Royal Warrant of the 16th January 1861, subject to Her Majesty's approval :-

Bengal Staff Corps.

Captain A. T. Armstrong ... 3rd January 1865.

No. 8 of 1865.—The under-mentioned Officer is permitted to proceed to Europe on leave of absence on sick certificate:-

Captain Robert Cunliffe Low, of the late 4th European Light Cavalry, 2nd in Command and Squadron Officer, 13th Bengal Cavalry.

For 20 months, under the new Regulations.

The 5th January 1865.

No. 9 of 1865.—The services of Lieutenant J. R. McK. Homfray, of the General List, Infantry, Doing-duty Officer, 36th (the Bereilly) Regiment Native Infantry, are placed at the disposal of the Foreign Department.

No. 10 of 1865.—His Excellency the Governor General in Council is pleased to attach Lieutenant C. A. Baylay, of the Royal Artillery, to the Hazara Mountain Train Battery, Punjab Irregular Force, to do duty in order to qualify himself for admission to the Staff Corps.

No. 11 of 1865.—The under-mentioned Officer is admitted to the Bengal Staff Corps, with effect from the date specified opposite to his name, subject to the confirmation of the Right Hon'ble the Secretary of State for India:

Captain Henry Phillpotts, of the late 15th Regiment Native Infantry, Assistant to the Governor General's Agent, Rajpootana.

No. 12 of 1865.—The under-mentioned Officers have reported their departure on the dates specified opposite to their respective names :-

Lieutenant C. W. Campbell, of the General List, Cavalry,
Aide-de-Camp to His Excellency the Commander-inChief at Fort St. George, on
leave for twenty months,
Government General Order No. 835 of the 1st November 1864.

"Mooltan," 27th Sept. 1864. From Madras.

Major R. Ouseley, of the Bengal Staff Corps, on leave for twenty months, Government General Order No. 848 of the 1st November 1864.

Major W. H. Binny, of the Bengal Staff Corps, on furlough for two years, Government General Order No. 854 of 1st November 1864.

Major G. A. F. Houchen, of the Bengal Staff Corps, Executive Engineer, Hill Road Division, Department of Public Works, on leave for twenty months, Government General Order No. 929 of the 21st November 1864.

Captain (Brevet Major) J. Hills, v. c., of the Royal Artillery, Brigade Major to the Inspector of Artillery, Northern Division, on leave for twenty months, Government General Order No. 915 of the 16th November 1864.

Captain R. Stothert, of the late 4th Regiment Native Infantry, on furlough for three years, Government General Order No. 850 of the 21st November 1864.

Assistant Surgeon N. J. Grant, of the Medical Department, in Medical Charge of the 12th Bengal Cavalry, on leave for twenty months, Government General Order No. 929 of the 21st November 1864.

Lieutenant C. L. B. Constable, of the late 17th Regiment Native Infantry, on leave for eighteenmonths, Government General Order No. 754 of the 15th September 1864.

Lieutenant Colonel W. E. Morton, of the Royal Engineers, Chief Engineer and Secretary to Government, Public Works Department, North-Western Provinces, on leave for fifteen months, Government General Order No. 997 of the 8th December 1864.

Lieutenant H. F. Woodcock, of the General List, Assistant District Superintendent of Police, Ajmere, on leave for one year, Government General Order No. 973 of the 2nd December 1864. "Alphie," 4th November 1864.

"Nemesis," 24th November 1864.

"Candia," 10th December 1864. Lieutenant S. D. Lockwood, of the General List, Cavalry, on leave for twenty months, Government General Order No. 984 of the 6th December 1864.

Assistant Surgeon R. H. Perkins, of the Medical Department, on furlough for three years, Government General Order No. 907 of the 16th November 1864.

Lieutenant T. Lowndes, of the Madras Staff Corps, District Superintendent of Police, British Burmah, on leave for twenty months, Government General Order No. 996 of the 8th December 1864.

Lieutenant Sir G. L. M. Parker, Bart., of the Bengal Staff Corps, Quarter Master, 3rd Goorkha Regiment, on leave for twenty months, Government General Order No. 1042 of the 19th December 1864.

onths, Governd Order No.

Major B. P. Lloyd, of the Bengal Staff Corps, Commissioner, Jhansie Division, on leave for twenty months, Government General Order No. 1018 of the 14th December 1864.

Lieutenant T. R. D. Bingham, of the Bengal Staff Corps, 2nd Squadron Officer, 8th Bengal Cavalry, on leave for eighteen months, Government General Order No. 866 of the 4th November 1864.

Assistant Surgeon J. C. Annesley, of the Medical Department, Civil Assistant Surgeon, Jhansie, on leave for eighteen months, Government General Order No. 1029 of the 15th December 1864.

Major G. Hamilton, of the Bengal Staff Corps, on furlough for two years, Government General Order No. 1050 of the 20th December 1864.

"Hotspur," 30th December 1864.

"Queen of the South," 27th

December 1864.

No. 13 of 1865.—The services of Surgeon S. C. Townsend are placed at the disposal of the Home Department.

"Mooltan," 24th December 1864.

"Candia," 10th

December 1864.

No. 14 of 1865.—In conformity with Government General Order No. 144 of 1852, the following Statement of Deposits made at the Presidency Pay Office, during the month of December 1864, on account of the Estates of deceased European Commissioned, Non-Commissioned, and Warrant Officers and Soldiers of the Indian Military Forces of Her Majesty, is published for general information; and it is hereby notified that claims to the Estates in question, which shall not be preferred to the Presidency Pay Master by Executors and Administrators before the conclusion of twelve months after the date of decease, cannot be attended to in this country, as the money after that period will be remitted to, and made payable by the Secretary of State for India.

Warrant Officers and Soldiers of Deposits made at the Presidency Pay Office on account of Estates of deceased European Commissioned, Non-Commissioned, and Her Majesty's Indian Military Service, in the month of December 1864.

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Amount remitted for payment in England. Equiva-lent in Sterling. In Co.'s Rupees. DISPOSED OF. Amount retained in India. How A. P. Amount paid in India. 13 6 292 A. P. 1 10 2,315 10 11 Total unclaimed amount de-posited. 0 00 14 12 006 11,670 1,069 818 5,942 292 28 253 Rs. Amount of Donation Batts due to Estates. : : : : : : : : of monies accruing from the adjustment of Estates. 1 10 2,315 10 11 P 00 0 5,942 14 0 10 A. 12 006 292 818 1,039 11,670 78 253 RB. 16th Dec. 1863 Intestate 24thJune 1864 Intestate 31st Oct. 1864 Testate. Intestate restate Ditto : : Not communicated. 31st Oct. 1864 5th Nov. 1864 6th Aug.1864 5th Nov. 1864 Date of decease. 1 *: : : : : : : 1 eral Number. : : : Depy. Inspr. Genl. Bengal Medical Service... : i : : Ordnance Department Depy. Inspr. Genl. Bengal Medical Dept. of Hospitals. 5th Regt. N. L. I. Bengal Staff Corps 3rd Regt. N. I. 34th Regt. N. I. Corps. L. L. Horse : : : : : Lieutenant Rank. Lieutenant Conductor Surgeon Captain Captain (f) Geo. Smyth Mann, F. B. C. S. (d) Geo. Smyth Mann, F. R. C. S. : : : : ... : : Commissioned and Warrant D. (g) Edgar Gresley Stone (c) Edgar Gresley Stone Carried over Charles Stewart, M. George Alexander (e) Patrick Mallon F. E. Farquharson On whose (a) (9) 7th Dec. 1864 ** Date of Deposit. . : 11 3.5 11 44 22nd 23rd 16th 21st 21st :

(c) Widow, Maria Mallon; Daughter, Mary Mallon, Lucknow. Paid by Transfer Receipt.
(f) Legatee, widow, Caroline Mann, care of Revd. Thomas Currie, Bridgham Rectory, East Harding, Norfolk.
(g) Next of kin, father, E. G, Stone, Esq., Chambers' Court, near Tewkesbury, Glouces-

(d) Legatee, widow, Caroline Mann, care of Revd. Thomas Currie, Bridgham Rectory, East Harding, Norfolk.

Next of kin, not known. Next of kin, mother. Next of kin, father, E. G. Stone, Esq., Chambers' Court, near Tewkesbury, Glonces-

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| | To allow appoint | winopas agra ID | Brought forward | Non-Commissioned Officers and Soldiers. | 7th Dec. 1864 (a) John Halliday | " (b) Jacob Smith | по | Matal |
| | | Page of Deposit. | | | 7th Dec. 1864 | 7th " " | 16th " " " | |

(c) Next of kin, brother, Patrick Payne, E. I. Regiment, now discharged; mother, Rosalina Maria Payne, Pensioners' home, Bombay, 15th December 1864, remitted by Transfer Receipt.

Presidency Pay Master.

FORT WILLIAM;
PAY OFFICE,
The 31st December 1864.

(a) Next of kin, brother, in Burope.
(b) Next of kin, brother, James Smith, Cawnpore.

No. 15 of 1865 .- With reference to the Notification issued by the Government of Bengal, dated the 24th ultimo, the services of Surgeon Major C. Archer, M. D., Civil Surgeon of Dacca, are, at his own request, placed at the disposal of His Excellence the Company of the Chief. lency the Commander-in-Chief.

The 6th January 1865.

No. 16 of 1865.—The following paragraphs of a Military letter from the Right Hon'ble the Secretary of State for India, No. 362 of the 23rd November 1864, are published for general infor-

1. The under-mentioned Officers and Warrant Officers have been permitted to return to their duty, viz. :-

Major P. C. Darnell.

- E. S. Denniss. A. H. Ternan.
- J. J. Eckford.
- R. R. Adams.

- Captain C. R. Shaw.
 ,, Hon'ble J. H. Fraser, viâ Bombay. 22
 - W. Paske. 22
 - C. E. Mills, per Steamer of 4th Dec.
 - W. Irwin. 77
 - F. R. N. Fortescue. 22

Lieutenant L. Conway Gordon.

- M. P. Moriarty, viâ Bombay.
- E. A. Vine. ,,
- 22
- R. G. Birch. D. T. H. Sampson, viâ Bombay.
- 1 53
- "
- W. G. Maitland. H. C. E. Ward. C. E. Bates. H. R. B. Worsley.
 - F. P. Spragge.

Surgeon J. C. Bow.

Assistant Surg. W. Watson.

Veterinary ,, J. Field, per Steamer of 3rd Dec. Conductor W. Wilkinson.

Sub-Conductor R. Busher.

2. The under-mentioned Officers have been granted extensions of leave for the periods speci-

Captain E. Thompson, 3 months.

J. C. Bonamy, 6 months.

A. P. Mew, 4 months.

Lieutenant D. Pringle, 6 months.

- M. A. D. Orchard, 6 months.
 A. D. Jennings, 6 months.
 H. C. Sitwell, 4 months.

- R. G. Armstrong, 6 months. "
- 1)
- A. W. Parker, 6 months. R. E. Money, 6 months.
- E. M. Bethune, 6 months. 23
- C. St. J. B. Barnett, 6 months. 53
- W. J. Cochrane, 6 months. L. B. J. Davies, 6 months. C. H. Garbett, 1 month. E. H. Willock, 6 months. 22

Surgeon J. T. Glover, 6 months.

D. Hood, 6 months.

Assistant Surgeon G. Barnard, 6 months.

3. Surgeon Major G. Paton has been permitted to retire from the service. His vacancy has effect from the 26th September 1864.

No. 17 of 1865.—The following Military letter from the Right Hon'ble the Secretary of State for India, No. 364 of the 23rd November 1864, is published for general information :-

MILITARY.

INDIA OFFICE;

No. 364.

London, 23rd November 1864.

To His Excellency the Right Hon'ble the Governor General of India in Council.

SIR,—I have to inform you that Her Majesty has been pleased to approve of the under-mentioned Officers being placed on the Staff of the Army serving in the East Indies, with the local rank of Major General, viz. :-

Lieutenant Colonel and Brevet Colonel F. P. Haines, c. B., H. P., with a view to his succeeding Major General the Hon'ble A. A. Spencer, c. B., from the 27th March 1865.

Lieutenant Colonel and Brevet Colonel William O'Grady Haly, c. B., 38th Foot, with a view to his succeeding Major General A. A. T. Cunynghame, c. B., from the 27th March 1865.

I have, &c.,

C. WOOD. (Signed)

No. 18 of 1865 .- With reference to Government General Order No. 222 of the 15th March 1864, the following Military letter from the Right Hon'ble the Secretary of State for India, No. 375, dated 25th November 1864, is published for general information :-

MILITARY.

INDIA OFFICE;

London, 25th November 1864. No. 375.

To His Excellency the Right Hon'ble the Governor General of India in Council.

SIR,—With reference to my Despatch of 30th January last, No. 26, I have to inform you that in a communication recently received from the in a communication recently received from the Horse Guards, I have been informed that as the absorption of Supernumerary Colonels and Lieutenant Colonels in the old Royal Artillery was contingent upon an addition being made to the funds for Retired Full Pay, which was not, however, provided for in the Estimates for 1864-65, none of these Officers have been absorbed, except those required to form a new Brigade, His Royal Highways the Field Marshal Commanding in Highness the Field Marshal Commanding in Chief has accordingly proposed that in the new Brigades, such Officers shall be placed on the Supernumerary List as heretofore, until such a practice has ceased in the old Royal Artillery. 2. To this proposal I have agreed, and accordingly the Field Officers of the new Brigades, who may be appointed to the Ordnance Department, will continue to be seconded as heretofore, until further orders.

(Signed) I have, &c., C. Wood.

No. 19 of 1865.—The services of Assistant Surgeon W. Watson, M. B., are placed at the disposal of the Government of the North-Western Provinces.

No. 20 of 1865.—The under-mentioned Soldiers of Her Majesty's services are permitted to reside and draw their pay in India as Out-Pensioners of Chelsea Hospital, according to the 23rd Clause of the Royal Warrant of the 1st July 1848, pending a reference to, the Home Authorities as to the amount of their pensions:—

Gunner James Brown, of the B. Battery, 9th Brigade Royal Artillery.

Private George M. Reeves, of Her Majesty's 98th Foot.

No. 21 of 1865.—The under-mentioned Officer has reported his return from England:—

Date of arrival at Fort William.

Assistant Surgeon B. W. Switzer, F. R. C. s., of the Medical Department.

No. 22 of 1865.—His Excellency the Viceroy and Governor General in Council has great satisfaction in announcing to the Army that he has received the authority of the Right Hon'ble the Secretary of State for India to declare that the rules hitherto in force with respect to the grant of pay and allowances at the Full or Half Batta rates are abolished, and that from the 1st January 1865 all Officers, Non-Commissioned Officers, and men in receipt of Regimental pay and allowances, wherever stationed, will draw such allowances at the Full Batta rate.

2. The above order in no way affects existing rules in regard to the rates of pay drawn by Officers of the Staff Corps, or by Officers holding Staff appointments.

No. 23 of 1864.—The adoption of the Hospital Diet Scales for the Bengal Presidency, laid down in G. G. O. No. 972 of the 30th October 1862, having been attended with very satisfactory results, His Excellency the Governor General in Council is pleased to direct that they be permanently adopted, with certain minor modifications which experience has shown to be necessary.

The Diet Scales as finally revised are accordingly published below for general information and guidance.

TABLE OF DIETS FOR HOSPITALS OF EUROPEAN TROOPS.

Articles comprising the different heads of Diet for a day.

AVOIRDUPOIS WEIGHT.

| Spoon. | Tea. | Beef Tea. | Low Milk. |
|--|---|--|--|
| Sago 2 oz. Tea ½ oz. Sugar 2¼ oz. Milk 6 oz. Rice 2 oz { For conjie water. | Bread 8 oz. Tea 3 oz. Sugar 24 oz. Milk 9 oz. Rice 2 oz. Salt 2 drs { For conjie water. Arrowroot 4 oz. | Bread 1 lb. Tea ½ oz. Sugar ½ oz. Milk 6 oz. Beef*12 oz. Salt 6 drs. *The quantity of meat is to be exclusive of bone; when bone is taken with the meat, ½ more in weight to be allowed. | Arrowroot 3 oz. Milk 1½ pt. with 6 oz. for Tea. Sugar 3 oz. including ¾ oz. for Tea, Tea ½ oz. Sago may be used in lieu of Arrowroot in the proportion of 2 oz. Sago to 1 of Arrowroot. Chicken 8 oz. Bread 4 oz. |
| Milk. | Chicken. | Low with Pudding. | Low. |
| Bread 12 oz. Rice 3 oz. including 1 oz. for conjie water. Milk 2 pts. and 6 oz. for Tea. Butter ½ oz. Sugar 2¼ oz. including ¾ oz. for Tea. Tea ½ oz. Salt 2 drs. Soojee 4 oz. In lieu of rice at the discretion of the Medical Officer. | Fowl made into Soup or broiled 8 oz. Bread 12 oz. Tea \frac{1}{2} oz. Tea \frac{1}{2} oz. Sugar \frac{1}{2} oz. Milk 6 oz. Butter 1 oz. Salt 6 drs. Barley \frac{1}{2} oz. Thour \frac{1}{2} oz. Onions 1 oz. Sugar 1 oz. Flour \frac{1}{2} oz. Onions 1 oz. Eggs 2 for Custard Pudding. Or "Chicken Broiled." The same as above, with the addition of Butter 1 oz. and the omission of the Barley, Flour, and Onions. | Mutton in Broth 8 oz. Bread 12 oz. Tea ½ oz. Sugar 1½ oz. Milk 6 oz. Butter ½ oz. Onions 1 oz. Barley ½ oz. Flour ½ oz. Salt 6 drs. Rice 2 oz. Milk ½ pt. Sugar ¼ oz. Eggs 2 for Rice Pudding. | Mutton in Broth 8 oz. Bread 1 lb. Tea ½ oz. Sugar 1½ oz. Milk 6 oz. Butter 1 oz. Onions 1 oz. Barley ½ oz. Flour ½ oz. Salt 5 drs. |
| Half. | Fish. | Full- | |
| Mutton 10 oz. Bread 1 lb. Potatoes 8 oz. Tea ½ oz. Sugar ½ oz. Sugar 1½ oz. Milk 6 oz. Butter 1 oz. Onions 1 oz. Barley ½ oz. Flour ½ oz. Salt 6 drs. | e exclusive of the head and back | Meat, either Beef or Mutton 12 oz. See Note in Beef Tea. Bread 1 lb. Potatoes 12 oz. Tea ½ oz. Sugar ½ oz. Milk 6 oz. Butter 1 oz. Onions 1 oz. Barley ½ oz. Flour ½ oz. Salt 6 drs. N.B.—In this Diet the Meat may be roasted, fried, or grilled, in place of being boiled. In succases the Diet to be marked "Ful varied," and Butter or Ghee 1 oz to be allowed, in lieu of Flow Barley, and Onions. | |

BREAKFAST.

| | Spoon. | | | 2-14 | Tea. | | | I | Beef Tea. | | e de la companya de l | Low | Milk | | |
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| Tea Sugar Milk | | 1 3 3 | pt. oz. oz. | Tea Bread Sugar Milk | :: | 1 3 3 4 3 | pt. oz. oz. oz. | Tea Bread Sugar Milk | :: :: | 1 4 3 4 3 | pt. oz. oz. oz. | Tea Arrowroot in Sugar Milk | Jelly | . 1 | pt. oz. 3 oz. 12 pt. |
| 10000 | Milk. | | | | Chicken. | | - WHO TO JOY | Low | with Pud | ding | ζ • | 1 | low. | | |
| Tea Milk Bread Sugar | | 1 1 4 3 4 | pt. pt. oz. oz. | Tea Bread Butter | :: | 1 2 4 | pt. oz. oz. | Tea Bread Butter | :: | 1 3 1 | pt. oz. oz. | Tea Bread Butter | :: | 1 4 1 2 | pt. oz. oz. |
| * | Half. | | | 1 | Fish. | ole. | | | Full. | | | | | | |
| Tea Bread Butter | ::: | 1 6 | pt. oz. oz. | Tea Bread Butter | <i>::</i> : | 1 6 1 2 | pt. oz. oz. | Tea Bread Butter | : | 6 | pt. , oz. oz. | | | | |

DINNER

| Speon. | Tea. | Beef Tea. | Low Milk. |
|---|--|---|---|
| Sago, in Jelly 2 oz. Sugar 3 oz. | Tea 1 pt. Bread 3 oz. Sugar 3 oz. Milk 3 oz. Arrowroot 4 oz. | Beef Tea 12 oz. Bread 8 oz. | Arrowroot in Jelly. 1 oz. Sugar 1½ oz. Milk ½ pt. Chicken 8 oz. Bread 4 oz. |
| Milk. | Chicken. | Low with Pudding. | Low. |
| Rice 2 oz. In Rice Sugar 3 oz. Milk. Bread 4 oz. Soojee 4 oz. in lieu of Rice. | Chicken 8 oz. Bread 8 oz. Custard Pudding. | Mutton Broth 1 pt. Bread 6 oz. Rice Pudding. | Mutton Broth 1 pt. Bread 8 oz. |
| Half. | Fish. | Full. | |
| Mutton in Broth 1 pt. Meat, roasted or fried 10 oz. Bread 4 oz. Potatoes 8 oz. | Fish 8 oz. Bread 4 oz. Potatoes 8 oz. Butter 1 oz. | Broth or Soup 1 pt. Meat 12 oz. Bread 4 oz. Potatoes 12 oz. | |

SUPPER.

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|------------------------|-------------------------|--|--|---|
| (F) | Spoon. | Tea. | Beef Tea. | Low Milk. |
| Tea Sugar Milk | 1 pt. 3 oz. 3 oz. | Tea 1 pt. Bread 2 oz. Sugar 3 oz. Milk 3 oz. | Tea 1 pt. Bread 4 oz. Sugar 3 oz. Milk 3 oz. | Tea 1 pt. Arrowroot 1 oz. Sugar 3 oz. Milk 1 pt. |
| | Milk. | Chicken. | Low with Pudding. | Low. |
| Tea Bread Butter | 1 pt. 4 oz. ½ oz. | Tea 1 pt. Bread 2 oz. Butter 4 oz. | Tea 1 pt. Bread 3 oz. Butter 4 oz. | Tea 1 pt. Bread 4 oz. Butter ½ oz. |
| | Half. | Fish. | Full. | |
| Tea Bread Butter | 1 pt. 6 oz. ½ oz. | Tea 1 pt. Bread 6 oz. Butter 4 oz. | Tea 1 pt. Bread 6 oz. Butter ½ oz. | * ************************************ |
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Diet Sheet of

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Diets and Extras to be filled in daily by the prescribing Surgeon.

N. B.—The quantity of Wine to be entered in words as well as figures.

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| Diet Roll of No. Rank and Name. Distable. d. ged | Age. |

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| | | Daily Abstract of Liquors for the various Wards in Hospital, dated | WARDS. | | | | | |
| FOR III NO. | | Daily Abstract of Diets for the various Wards in Hospital, dated | | Lemonade. | Pints. | | | |
| 9 | | | DRINKS. | Rice Water. | Pints, Pints. | | | |
| | rted | | | Barley Water. | Pints. | | | |
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No. 24 of 1865.—The following paragraphs of a Military letter from the Right Hon'ble the Secretary of State for India, No. 344 of the 7th November last, are published for general information:—

In reply to your letter* dated 19th September

* No. 322.

sion a question which has been
mooted, whether the provisions of the General
Order by your Government, dated 1st August
1863, No. 494, should apply to appointments
with Native Regiments, I have to inform you
that I agree with the Commander-in-Chief and
your Government that the provisions of that
Order would not be appropriate to Regimental
appointments.

2. That Order declared that henceforth no Officer acting in an appointment should receive more than one-half the staff salary attached thereto, until he should have acted six months in it. I am of opinion with you that when there is a full vacancy in the Command or other appointments in a Native Regiment, or an acting vacancy in which the whole staff salary is available, the acting incumbent should receive full pay.

3. This interpretation is, of course, subject to the condition referred to in the 5th paragraph of

3. This interpretation is, of course, subject to the condition referred to in the 5th paragraph of your letter under reply, that under no circumstances shall the Government have to pay more than the authorized salary of any appointment, whether drawn by one Officer or divided between two; and that no Officer acting in an appointment shall draw more than the full salary belonging to it.

No. 25 of 1865.—The following promotions by Brevet are made under the operation of Government General Order No. 632 of 4th August 1864, subject to Her Majesty's approval:—

Brevet.

| Corps. | Rank and Name. | Date from which entitled to pro- motion to rank of Major. |
|--------------------------|---|--|
| A CONTRACTOR OF THE SAME | To be Majors. | tor in order to be a second |
| Staff Corps | Capt. Benjamin Parrott (Major in the Staff Corps) | 18th Feb. 1861, |
| 4th Eur. Regt. | Capt.George Augustus Cuyler " Arthur Ellis | 29th Dec. 1864. 29th Dec. 1864. |

H. W. NORMAN, Colonel, Secy. to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

ESTABLISHMENT.

No. 1.

Fort William, the 3rd January 1865.

Erratum.—In the portion of Public Works Department Notification No. 361 of the 19th instant, relating to Mr. C. Nuttall, for the words "temporary rank of 3rd class," read temporary rank of 2nd class.

No. 2.

Notifications:—Mr. H. Rigg, Probationary Assistant Engineer, Mysore, is promoted to the grade

of Assistant Engineer, 2nd class, with effect from the 25th February 1864. This cancels Notification No. 286 of the 6th October 1864.

No. 3.

The 4th January 1865.

The undermentioned Probationary Assistant Overseers attached to the Public Works Department, Central Provinces, are promoted to the grade of Assistant Overseer from the dates specified:—

Sergeant A. Buchanan, from the 31st August 1864.

Private J. Jennings, from the 31st August 1863.

No. 4.

The under-mentioned Officers and subordinates of the Bombay Presidency, employed in the Rajpootana Circle of Public Works, are brought on the strength of the Public Works Establishments under the Government of India in the grades specified.

Executive Engineer, 2nd Class.

Lieutenant Colonel A. Cowper, Executive Engineer, Mhow Division, Agra and Bombay Road.

Executive Engineer, 3rd Class.

Captain J. Hills, Executive Engineer, 3rd Division Mhow and Nusseerabad Road.

Lieutenant E. P. Gambier, Executive Engineer, Neemuch and Nusseerabad Division.

Probationary Assistant Engineer.

Captain A. S. Griffith, Neemuch and Nusseerabad Division.

Supervisor, 1st Grade.

Conductor G. Cowper, 3rd Division Mhow and Nusseerabad Road.

Supervisor, 2nd Grade.

Sergeant H. B. Jackson, Neemuch and Nusseerabad Division.

Overseer, 1st Grade.

Ragho Ram Chunder, 3rd Division Mhow and Nusseerabad Road.

Overseer, 2nd Grade.

Gunnesh Gopal, 3rd Division Mhow and Nusseerabad Road.

Eknath Ramchunder, 3rd Division Mhow and Nusseerabad Road.

Overseer, 3rd Grade.

Corporal J. Thomas, 3rd Division Mhow and Nusseerabad Road.

No. 5.

Mr. W. C. Wright, Probationary Assistant Engineer, Oudh, has been posted to the Fyzabad Division with effect from the 2nd November 1864.

Baboo Kedar Nath Doss, Probationary Assistant Engineer, Oudh, has been transferred from the Lucknow to the Sectapoor Division, which he joined on the 14th December 1864.

No. 6.

The 5th January 1865.

The under-mentioned Probationary Assistant Engineers are promoted to the grade of 2nd class

Assistant Engineer, with effect from the 14th January 1864:—

Mr. H. Bell.

" F. L. O'Colloghan.

" R. H. Rhind.

REVENUE-FORESTS.

No. 1.

The 2nd January 1865.

Mr. A. M. Peché, in charge of the Kaddoe timber revenue station, British Burmah, is removed from the service of Government from the 19th August 1864.

No. 2.

The Governor General in Council is pleased to appoint Mr. M. Slym to be an Assistant Conservator of Forests in British Burmah on probation, from the date of taking charge.

No. 3.

The 4th January 1865.

The Governor General in Council is pleased to appoint Lieutenant H. A. C. Plowden, Her Majesty's 51st Native Infanty, to officiate as an Assistant Conservator of Forests in the Central Provinces, with effect from the date of joining.

E. C. S. WILLIAMS, Captain, R. E.

Under Secy. to the Govt. of India.

ADVERTISEMENTS.

NOTICE.

The interest and responsibility in our Firm of Mr. John Lyall and Mr. John Rennie ceased on 31st December 1862.

CALCUTTA,
The 31st December 1864.

LYALL RENNIE & Co.

POSTAL NOTICE.

From and after this date the limit of the weight of the Overland Express from Calcutta to Bombay will be extended to ten seers. The Express Potsage to be paid in addition to the ordinary Potsage will be one Rupee per half ounce or fraction of half an ounce, instead of one Rupee per quarter ounce.

H. B. RIDDELL,

Dir. Genl. of the Post Office of India.

CALCUTTA,
5th January 1865.

FOR SALE,

A COLLECTION of TREATIES, ENGAGEMENTS, and SUNNUDS, relating to India and neighbouring countries, compiled by C. U. Aitchison, B. C. S., Under-Secretary to the Government of India in the Foreign Department. Price, Five Rupees per volume.

VOLUME I.—Containing the Treaties, &c., relating to Bengal, Burmah, and the Eastern Archipelago. Super royal, 8vo. pp. 372, with three Maps.

VOLUME II.—Containing the Treaties, &c., relating to the North-Western Provinces, Oudh, Nepal, the Punjab, and the States on the Punjab Frontier. Super royal, 8vo. pp. 456, with two Maps.

VOLUME III.—Containing the Treaties, &c., relating to the Peishwa, Nagpoor, and Bundlecund. Super royal, 8vo. pp. 588.

VOLUME IV.—Containing Treaties, &c., relating to the States in Rajpootana, Central India, and Malwa.

VOLUME V.—Containing Treaties, &c., relating to Hyderabad, Mysore, and Coorg, the Madras Presidency, and Ceylon.

Just published.

VOLUME VI.—Containing Treaties, &c., relating to the States within the Bombay Presidency.

Orders by the Vice-Chanceller and Syndicate of the Calcutta University.

THE undermentioned Students have passed the First Examination in Arts:-

FIRST DIVISION.

In Order of Merit.

| 1 2 3 4 5 6 7 8 9 10 11 12 14 15 | Anundo Mohun Bose Koroonamoy Banerjee Gopal Chunder Mookerjee, No. 1 Beroja Prosaud Bose Jogendro Nath Bose Shurrut Chunder Banerjee, No. 1 Ram Churn Mitter Promoda Churn Banerjee J. P. Obeyesekere Boycunto Nath Roy Tarra Prosaud Roy Ameer Ali Protab Chunder Mozumdar Nundo Lall Chatterjee Baney Madub Dutt | | Presidency College. Ditto. Ditto. Berhampore College. Ditto. Presidency College. Ditto. Ditto. Queen's College, Colombo. Dacca College. Hooghly College. Ditto. Presidency College. Hooghly College. Presidency College. Calcutta Free Church Institution. |
|---|---|----------|---|
| 16 | Onookool Chunder Chatterjee | SECOND : | |

| descripts. | S | ECOND I | DIVISION. |
|------------------|---|---|---|
| | . In | Alphabet | ical Order. |
| Abdoolah Fyaz | e de la companya de La companya de la co | *** | Calcutta Free Church Institution. |
| Amarendro Nau | th Chatteriea | | Presidency College. |
| Amrita Lal De | | ••• | Calcutta Free Church Institution. |
| Aukhoy Chund | er Chowdry | | Presidency College. |
| Aushootosh Au | ddy | | Hooghly College. |
| Banka Behary | Gunta | | Presidency College. |
| Beereshur Hald | lor | • • • • | Ditto. |
| Bepin Behary | Dutt | | Hooghly College. |
| Bhola Nauth B | | | Queen's College, Benares. |
| 10 Bhoobun Mohu | n Mookeries | | Calcutta Free Church Institution. |
| To Bhoobun Mono | ottorios | | Serampore College. |
| Bipprodoss Cha | | *** | Calcutta Free Church Institution. |
| Bonomali Ghos | | | Presidency College. |
| Boodh Sen Sing | | ••• | Kishnaghur College. |
| Bunko Behary | Mitter | *** | Dacca College. |
| Cally Nauth Cl | natterjea | ••• | Ditto. |
| Chunder Kanth | Ghose | ••• | YN NELD HONT 그림이 가장 아트님이 보고 하다 아이라면 하게 하는데 하다 아프라이트 프로그램이 무슨 세계를 제공하였다. |
| Coonjo Behary | Chuckerbutty | | Teacher. |
| Dal Chund | | ••• | Bareilly College. |
| D'Cruz, J. A. | | *** | Doveton College. |
| 20 Debendro Laul | Shome | ••• | Hooghly College. |
| Deno Bundhu | | *** | Dacca College. |
| Deno Nauth B | | *** | Presidency College. |
| Deno Nauth D | | • | Teacher. |
| DeRhi Philipe | , G. W. | *** | Doveton College. • |
| Dhonesh Chun | der Roy | *** | Civil Engineering College. |
| Dissent, A. | | | Doveton College. |
| Doorga Cooma | r Bose | | Dacca College. |
| Doyal Chunder | | * | Medical College. |
| | Bhuttacharjea | | Patna College. |
| 30 Dwarka Nauth | | | Dacca College. |
| Fuzlul Baree | | | Teacher. |
| Gobind Chund | er Bysack | Service of the service of | Dacca College. |
| Gobind Chund | | | Presidency College. |
| Gobind Chund | | | Calcutta Free Church Institution. |
| Gonesh Chund | | ••• | Ditto. |
| Goopee Mohur | | | |
| | Mookerjea, No. 2 | And the second | Presidency College. |
| | | ••• | Ditto. |
| Gopal Loll Sea | | | Ditto. |
| Gora Chand D | | ••• | Calcutta Free Church Institution. |
| 40 Grish Chunder | Chatterjea | ••• | Ditto. |
| Grish Chunder | Roya | ••• | Ditto. |
| Hari Krishna | | | Sanscrit College. |
| | ra Bhuttacharjee | | Ditto. |
| Hem Chundra | | | Calcutta Free Church Institution. |
| Hurrish Chune | der Bagchee | | Teacher. |
| | | | |

Hurry Bullub Bose Hurry Bullub Moitry Presidency College. Kishnaghur College. ... Ishwar Chunder Khasnovish Janoky Nauth Pawray Dacca College. Berhampore College. ... 50 Jodoo Nauth Bhuttacharjee Kishnaghur College. Jodoo Nauth Doss Calcutta Free Church Institution. ... Ditto. Kishnaghur College. Jodoo Nauth Mitter Jodoo Nauth Mookerjea Presidency College. Jogendro Nauth Bose ... Jogesh Chunder Mitter Ditto. ... Calcutta Free Churh Institution. Joygopal Singha Juggobundhu Bhudro Juggobundhu Gangooly Dacca College. Presidency College.
Bareilly College.
Calcutta Free Church Institution. ... Kally Churn, 2nd 60 Kally Sodoy Gangooly Kally Sunker Goobo Ditto. Hooghly College. Kartic Chunder Paul Patna College. Presidency College. Kedareshur Dutt Kedar Nauth Chatterjea ... Hooghly College. Kedar Nauth Doss ... Kedar Nauth Ghose Kedar Nauth Ghose Presidency College. Kishnaghur College. ... Presidency College. Khetter Mohun Bose ... Doveton College. Kirkpatric, C. 70 Kissory Laul Chowdhry Presidency College. Hooghly College. Koralee Churn Sircar Calcutta Free Church Institution. Ditto. Kristo Doss Dey Mahendro Narain Banerjea *** Patna College. Serampore College. Mohammed Yusoof Mohendro Nath Bose Mohendro Nauth Mitter Presidency College.
Ditto. ... Mohesh Chunder Sircar Mohim Chunder Chatterjea Dacca College. *** Mutty Laul Holdar 80 Mutty Laul Roy Chowdry Nemy Chunder Bose Netie Doss Dey Hooghly College. Presidency College. ... Ditto. ... Ditto. Teacher. Nilmadub Banerjea Hooghly College. Nuffer Chunder Chatterjea Ditto. Nursing Paul Berhampore College. Obayd-al-Ruhman Okhoy Chunder Sircar Hooghly College. Presidency College. Oma Churn Ghose Omesh Chunder Dutt Teacher. ... Kishnaghur College. 90 Omesh Chunder Sen ... Presidency College. Opendro Chunder Mitter ... Calcutta Free Church Institution Panchcowry Banerjea ... Hooghly College. Peetambur Chatterjea Queen's College, Benares. Poorno Chunder Banerjea Presidency College. Poorno Chunder Mitter .. Ditto. Prosonno Coomar Gangooly Ditto. Prosonno Coomar Roy Sanscrit College. Radharomun Gupta Dacca College. Raj Chunder Roy ... Presidency College. Hooghly College. 100 Rajkisto Gupto ... Rajkrishna Ghose ... Dacca College. Rajmohun Dey ... Berhampore College. Ram Gopal Dutt Presidency College. Ram Loll Banerjea Queen's College, Benares. Ram Mohun Banerjea Hooghly College. Rhedoy Nauth Chuckerbutty Rojoni Nauth Mitter ... Ditto. ... Berhampore College. Hooghly College. Romesh Chunder Lahoory ... Russick Laul Ghose ... Presidency College. 110 Sati Nauth Roy Saugor Chunder Chuckerbutty ... Kishnaghur College. ... Civil Engineering College. ... Saut Cowry Chatterjea Dacca College. *** Serajul Islam Hooghly College. Sham Chund Dhur Calcutta Free Church Institution. Sham Loll Bysack Ditto. Sham Loll Dutt Medical College. Shama Churn Mookerjea ... Berhampore College.

....

Shama Churn Mozoomdar

Sheo Sunkur Sahai 120 Shib Chunder Boidie Shib Chunder Naug Shoodangshoo Bhoosun Roy Shoshee Bhoosun Banerjea Shoshee Bhoosun Sen Shyama Churn Chakrabarti Siddessur Banerjea Sochee Coomar Bose Soorunjun Paul Sreekristo Mookerjea 130 Surdharee Lall Tara Prosonno Banerjea Trolockya Nauth Bose Umesh Chunder Mitter Unnoda Prosad Banerjea

135 Woopender Chunder Bose

Patna College. Calcutta Free Church Institution. Dacca College. Presidency College. Calcutta Free Church Institution. Dacca College. Calcutta Free Church Institution. Hooghly College. Presidency College. ... Calcutta Free Church Institution. 1 Hooghly College. Presidency College.
Ditto. *** ... Calcutta Free Church Institution. ... Ditto.

Ditto.

Ditto.

The undermentioned Students have passed the Entrance Examination:-

FIRST DIVISION.

In Alphabetical Order.

Adhar Sing Gour Adityaram Bhuttacharjea Aubinash Chunder Bhuttacharjee Aubinash Chunder Mookerjea Aukhoy Coomar Mookerjea Aushootosh Roy Bama Churn Bose Baneymadub Doss Beereshur Chatterjee 10 Behary Laul Banerjea Behary Laul Gupta Bepin Behary Bose Bhuggobutty Churn Gangooly Blochmann, J. Brindabun Chunder Ghose Brojendro Coomar Gooho Brojendro Mohun Poss Brojo Gopal Muttylaul Bykunt Nath Mookerjea 20 Cally Prosonno Moulie Chunder Canto Pyne Chunder Shekor Sircar Chundra Kissore Dey Degumbur Moitry Dhurronee Dhur Dey Dissent, H. Doorgaram Bose Eshur Pershaud Forbes, E. A. Gobindo Chunder Mohapatro Goberdhone Doss Gokul Chand Goluck Nauth Dhur Gomez, Domingo Gopaul Chunder Ghose Gopaul Chunder Roy Gossi Krishn Grish Chunder Bhor Grish Chunder Singh 40 Gunga Pershaud Haran Chunder Banerjea Herumbo Chunder Chuckerbutty Hidayet Ullah Hill, E. C. Hurdial Singh Hurry Prosaud Doss Ishwar Chunder Bhuttacharjea Jadubendro Nauth Roy Chowdry Jogendro Chunder Bose

Private Student. Queen's College, Benares. Calcutta Free Church Institution. Colootollah Branch School. Bullagur Aided School.
... L. M. S. Institution, Bhowanipore. ... Hooghly Collegiate School.
... Colootollah Branch School. ... Colootollah Branch School.
... Sanscrit College.
... Santipore Aided School.
... Colootollah Branch School. Hooghly Branch School. ... Bally Seminary. Doveton College. Seal's Free College. Tagoria Aided School. ... Dacca Collegiate School. ... Hindu School. ... Kishnaghur Collegiate School. ... Burrisaul School. ... Kishnaghur Collegiate School. ... Calcutta Free Church Institution. ... Mymensingh School. ... Sham Bazar Preparatory School, ... Colootollah Branch School. Doveton College. Colootollah Branch School. Lahore Mission School. ... Doveton College. General Assembyl's Institution. Queen's College, Benares. Teacher. ... Mymensingh School. Teacher. Colootollah Branch School. Hooghly Collegiate School. Patna College. Calcutta Training Academy. Hindu School. St. John's College, Agra. Colootollah Branch School. Barrackpore School. St. Stephen's College, Delhi. Doveton College. St. Stephen's College, Delhi.

Burrisaul School.

Hindu School.

...

...

Dacca Collegiate School.

Cossipore Aided School

50 Jogendro Nauth Mookerjea ... Jogendro Nauth Mookerjea

Jogendro Nauth Sircar

Johore Laul Nundy

Joygopaul Banerjea

Jwala Pershaud

Kally Coomar Chuckerbutty

Kally Kissen Ghosal

Kally Mohun Surmah

Kapoor Singh

Kashi Nath

Seal's Free College.

Colootollah Branch School.

Hooghly Branch School.

Chinsurah Free Church Institution.

Agra College.

Berhampore Collegiate School.

Chittagong School.

Ooterparah School.

Agra College.

Midnapore School.

Victoria College. Seal's Free College. Kartic Chunder Mitter
Kashi Nath
Kedar Nauth Buckshee
Kedar Nauth Chatterjea
Kedar Nauth Roy
Kedar Nauth Sircar
Kheroda Coomar Sing
Kishory Mohun Banerjea
Koilas Nauth Kor
Koonjo Behary Bose
Koonjo Behary Mullick
Krishn Rao Pundit Victoria College.
Paikparah School. Paikparah School. Hindu School. Noral Aided School. Colootollah Branch School.

Ditto. Ditto. Calcutta Free Church Institution. Barripore Aided School. Koonjo Behary Mullick
Krishn Rao Pundit
Kristo Dhone Chatterjea
Kristo Laul Dutt
Kumud Bundhu Bose
Lakshmi Shankara
Luckhee Narain Doss Goopta
Mahomed Yehia
Mohanundo Gupta
Mohendro Chunder Mitter
Mohendro Nauth Dutt
Mohendro Nauth Roy
Mohim Chunder Chuckerbutty
Mohon Mohun Mitter
Mon Mohun Mitter
Mon Mohun Sirear
Mohendro Scal
Mindu School.
Teacher.
Treacher.
Berhampore Collegiate School.
Mymensingh School.
Queen's College, Benares.
Chinsurah Free Church Institution.
Patna College.
Pubna School.
Hooghly Collegiate School.
Ooterparah School.
Queen's College, Benares.
Colootollah Branch School.
Mohim Chunder Chuckerbutty
Mohim Chunder Bose
Mokhoda Churn Sen
Mon Mohun Mitter
Calcutta Free Church Institution.
Chinsurah ditto ditto. Hindu School. 70 Koonjo Behary Mullick mar yang dager Chinsurah ditto ditto.

Agra College.

Teacher. Moorary Mohun Seal 90 Mukhun Lall ... Murli Dhur
Mutty Laul Roy
Mutty Laul Mookerjea Victoria College. Hindu School. Chinsurah Free Church Instution. Colootollah Branch School.
Berhampore Collegiate School. Nil Madub Banerjea
Nilmoney Ghose
Nitta Nundo Dey
Nogendro Nauth Roy
Norrendro Coomar Roy Chowdhry ... Midnapore School. *** Berhampore Collegiate School. Barripore Aided School. Norrendro Coomar Loy 100 Nritto Gopaul Chatterjea Kistonogur Aided School at Mohestollah, Midnapore School. Hindu School. Nundo Laul Ghose
Okhil Churn Mullick
Okhoy Coomar Chatterjea
Opendro Narain Mozoomdar ... Patna College. Colootollah Branch School. Opendro Nauth Sen *** Ditto. ... Bareilly College. ... Pearay Lall
Peary Mohun Gooho
Poorno Chunder Ghose Bangla Bazar School. Colootollah Branch School. ... *** Ootterparah School. Poorno Chunder Ghose
Pran Kissen Coomar

110 Priya Nauth Bose
Prosonno Nauth Goopta
Radha Bullub Paul
Rajkristo Dutt
Raja Gonal Bose Khanakool Kishnagur A. S. School. Nizamut School. Hooghly Collegiate School. Calcutta Free Church Institution. Rajender Nauth Sett
Rajendro Nauth Chatterjea
Rajendro Nauth Ghose
Ram Chunder Roy Chen II Seal's Free College. Hindu School. ... Ooterparah School. Colootollah Branch School. Rajendro Nguth Ghose Ram Chunder Roy Chowdhry L. M. S. Institution, Bhowanipore. Kishnaghur Collegiate School. Ram Loll Lahiree La Martiniere College. Colootollah Branch School. 120 Read, A. J. Romesh Chunder Dutt

Roy Buns Kishore Rye Churn Ghose Shama Churn Banerjea Shama Churn Roy Shama Doss Roy Shib Chunder Banerjea Shib Nath Banerjea Shib Nauth Bhuttacharjea 130 Shoshee Bhoosun Banerjea Shoshee Bhoosun Sircar Shusti Doss Roy Sutto Krishen Bose Tarini Churn Ghose Taruck Bundhu Chuckerbutty Thompson, J. B. Troilokho Nauth Bose Umbica Churn Dutt Upendro Nauth Doss 140 Wooma Cally Mookerjea Wooma Churn Ghose 142 Woomesh Chunder Chutterjea Patna College.

Hooghly Branch School.
Patna College.
Mymensing School.
Colootollah Branch School. Metropolitan Institution.

Kishnaghur Collegiate School. Berhampore Collegiate School.

Ooterparah School. •••

Kishnaghur Anglo-Vernacular School. ...

Kishnaghur Collegiate School. Berhampore Collegiate School. Calcutta Free Church Institution. ...

Dacca Collegiate School. ...

Doveton College.

Calcutta Training Academy.

Oriental Seminary. Sanscrit College. Bulluty Aided School.

Chinsurah Free Church Institution. ...

Hooghly Branch School.

SECOND DIVISION.

In Alphabetical Order.

Burdwan Moharaja's School. Abdool Jubber Chowdry Colingah Branch School. Abdoor Rusheed Bareilly College. Ajoodhia Pershaud Metropolitan Institution. Amritto Laul Dutt ... Boroe Aided School.
... Burdwan Moharaja's School. Anundo Chunder Mookerjea Anundo Chunder Sing Pogose School. Anundo Nauth Roy Anundo Ram Burrooah Gowhatty School. ... Ooterparah School. Aubinash Chunder Ghosal Kishnaghur Collegiate School. 10 Audhor Chunder Mookerjea Calcutta Free Church Institution. Audhor Chunder Sircar Barrackpore School. Audoito Nauth Mundol Jehanabad School. Aughore Chunder Dutt Howrah School. Aukhoy Coomar Gangooly Konnugger Seminary. Aushootosh Laha Aushootosh Mitter General Assembly's Institution. Kishnaghur Anglo-Vernacular School. Aushootoosh Mookerjea Bareilly College. Saugor School. Bahadur Singh Balmokund Purohit Taltollah Preparatory School. 20 Bama Churn Banerjee General Assembly's Institution. Bama Churn Chatterjea Serampore College. Bama Churn Roy Hooghly Collegiate School. Bama Churn Sen Bansbariah Free Church Branch School. Baney Madub Banerjea Teacher. Baney Madub Banerjea Baney Madub Doss Baney Madub Doss Allipore School. Howrah School. Goburdangah School. Baney Madub Mookerjea Baney Madub Paul ... Chinsurah Free Church Institution. ... Tumlook School. 30 Baranoshee Benerjea ... Batuk Nath Dubee Teacher. ... Beereshur Bose Mozufferpore School. ... Queen's College, Benares. Calcutta Free Church Institution. Beereshur Mitter ... Behary Laul Banerjea Ditto. Behary Laul Bose Shambazar Preparatory School. Behary Laul Bose Calcutta College.
L. M. S. Institution, Bhowanipore. Behary Laul Bysack ... Behary Laul Coondoo ... Oriental Seminary Behary Laul Mozoomdar ... Lahore Mission School. 40 Benjamin Goluck Nauth Ilsoba Mondlye Aided School. Benode Behary Banerjea ... Benode Behary Doss Benode Behary Ghose Benode Laul Pattuck Colootollah Branch School. ... General Assembly's Institution. Hooghly Branch School. Bepin Behary Bose Bepin Behary Chowdry Bepin Behary Sircar Burdwan C. M. S. Institution. Berhampore Collegiate School. *** Calcutta Free Church Institution. ... Bepin Chunder Roy Burrisaul School.

Bhobani Churn Bhadoory Howrah School. 50 Bhobani Churn Ghuttuck Bhobani Churn Mitter Pubna School. Chinsurah Free Church Institution. Bancoorah School. Bhoirub Chunder Dey Bhoirub Chunder Dey ... Chittagong School.
... St. John's College, Agra.
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Gowhatty School. Kishnaghur Collegiate School. ... Cuttack School. ... Andool School. ... Commillah School. Jeypore Moharaja's College. Gya School. Berhampore Collegiate School. ... Mymensing School. Serampore College. ... *** Gowhatty School. ...

Colootollah Branch School.

490 Shookh Deo Singh Shookmoy Mullick Shoshee Bhoosun Bhoomic Shoshee Bhoosun Chatterjee Shoshee Bhoosun Chatterjea Shoshee Bhoosun Mookerjee Shoshee Sheker Sanyal Shumbhoo Chunder Dey Siddessur Banerjea Siddessur Mitter 500 Sitta Nath Chatterjea Smith, C. J. Soorendro Nath Mookerjea Soorendro Nath Paul Chowdhry Sooresh Chunder Bose Soorj Bul Soorjoo Coomar Chuckerbutty Soruth Chunder Banerjea Soruth Chunder Paul Sree Gopaul Chatterjea 510 Sree Hursho Bhuttacharjea Sree Kanto Surmah Sree Krishna Mullick Sree Kristo Bose Sree Nauth Bhuttacharjea Sree Nauth Mitter Sree Nauth Shadoo Sree Ram Moitro Sreesh Chunder Chowdhry Sukh Dyal 520 Surrut Chunder Doss Sustibur Chuckerbutty Susti Doss Magila Suttish Chunder Ghose Sutto Kinkur Sen Tarra Puddo Ghose Tariny Canto Sen Tariny Churn Bhuttacharjee Tariny Prosaud Sen Taruck Chunder Gooho 530 Taruck Nath Gangoolly Thomson, J. F. Tin Cowry Banerjee Tin Cowry Sirear Toolsey Pershad Tripoorah Churn Deb Troilokho Nath Chatterjee Troilokho Nath Dutt Troilokho Nath Nundy Troilokho Nath Sen 540 Umbica Churn Chutto Umbica Churn Ghose Umbica Churn Gooho Umbica Churn Sen Umba Pershad Unnoda Prosaud Aich Wahaboodeen Womesh Chunder Sen Wooma Nath Mozumdar Woomesh Chunder Chatterjea 550 Woomesh Chunder Sircar Wopendro Kissen Banerjea Wopendro Nath Mookerjea Younan, E. 554 Yousuf Ali

Singarcone Badla Anglo Vernacular School. ... Calcutta Free Church Institution. Kunnuggur School. Bullutee Aided School. L. M. S. Institution, Bhowanipore. Joy Narain's College, Benares. Hooghly Collegiate School.

Ditto.

Hallishuhur School.

Hooghly Collegiate School.

La Martiniere College. 1000 Teacher. ... Ranaghat School. 4-494. Calcutta Free Church Institution. ••• Delhi College. Pogose School. Hindu School. Ditto. Krishnaghur Collegiate School. Bancoorah School. Teacher. *** Krishnaghur Collegiate School. ... Hooghly Branch School. Sanscrit College. See. ... Jerat Aided School. Hooghly Collegiate School. ... Pubna School. Gossi Doorgapore Anglo Vernacular School. Umritsur Mission School. ... Chittagong School. L. M. S. Institution, Bhowanipore. Burdwan Moharaja's School. ... *** Hooghly Collegiate School. *** Hindu School. ... Hooghly Branch School. ... Dacca Collegiate School. Howrah School. Gowalparah School. Dacca Collegiate School. Ootterparah School. Hooghly Collegiate School. Beerbhoom School. Burdwan Moharaja's School. Bhaugulpore School. Kunnuggur School. Metropolitan Institution. Colootollah Branch School. ... Midnapore School. ... Hooghly Branch School. Jugguthbullubpore Aided School. General Assembly's Institution. Pogose School. Seal's Free College. Agra College. C. M. S. Institution, Burdwan. Lahore College. Hindu School. Bogra School. Hooghly Collegiate School. Gya School. Metropolitan Institution.

Hooghly Collegiate School.

St. Xavier's College. St. Stephen's College, Delhi.

CALCUTTA UNIVERSITY, The 2nd January 1865.

J. Sutcliffe, M. A., Offg. Registrar.

SALE OF WASTE LAND AT MOHUMDEE.

Notice is hereby given that, should no objection be preferred under Act XXIII of 1863, rendering it necessary to defer sale, the several plots of Waste Land situate in the District of Mohumdee, which are entered in the list appended, will be sold by public auction on the 10th January 1865, to the hightest bidder, above the upset price of two Rupees and eight Annas (2-8-0) per acre, at the Office of the Deputy Commissioner at Lukheempoor. The sales will be made in the manner, and subject to the conditions, prescribed by the rules for the sale of Waste Land in Oudh.

Copies of the rules referred to, and forms of the Deed of Sale, can be obtained, on application, at the Office of the Chief Commissioner; and maps of the allotments, on a scale of four inches to a mile, may be seen at the Office of the Deputy Commissioner of Mohumdee.

T. H. KAVANAGH.

Offg. Deputy Commissioner.

Lands available for sale in the Mohumdee District.

| | | 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 | yj | | |
|-----------------|------------|---------------------------------------|--------------------------------|--|--|
| General Number. | Pergunnah. | Names of Grant. | Approximate number of Acres | Boundaries. | Remarks. |
| | | | | TEHSEEL ALLEEGUNJ. | |
| 1 | Bhoor | Allotment No. 1 | 2,291 | Bounded on the west by Mr. Allen's grant; on the north by the villege Kamp; on the east by the village Kishunpoor; and on the south by the grant of Messrs. Saunders and Menzies and the village Sooltanpoor of District Shajehanpoor, from which it is separated by the Oel River. | The River Chowka flows two miles from the north ern boundary. |
| 2 | Alleegunj | Allotment No. 2 | 1,221 | Bounded on the west by Mr. Foy's grant; on the north by the village Buhadurnuggur; on the east by the village Umbara; and on the south by the grant of Ahmud Allee. | |
| 3 | Hyderabad | Allotment No. 3 | 5,272 | Bounded on the west by the grants of Abdool Wahid and Mr. Singer on the north; and north-east by the River Oel, which separates it from the grants of Mr. Meakin, Mr. Foy, and Ussud Allee; on the south by the villages Sikundurpoor, Khujooa, Puharpoor, Huzrutpoor, Kookra, and Khunjunpoor. | |
| 4 | Ditto | Allotment No. 4 | 2,555 | Bounded on the west by allotment No. 5; on the north by the grant of Messrs. Saunders and Menzies, from which it is separated by the Oel River; on the southeast by Mr. Singer's grant; and on the south-west by Captain William Hearsey's grant. | |
| 5 | Ditto | Allotment No. 5 | 3,703 | Bounded on the west by the villages Mudarpoor, Bhoodapoor, Byspoor, Jurowlee, and Sera Mow of District Shajehanpoor; on the north by the grant of Messrs. Saunders and Menzies, from which it is separated by the Oel River; on the east by allotment No. 4 and Captain William Hearsey's grant; and on the south-east by the village Mylanee. | The boundary between the allotment and the village of District Shajehanpoo is disputed by the proprietors of the latter. |
| 6 | Ditto | Allotment No. 6 | 760 | Bounded on the north-west by the village Lurtee of District Shajehanpoor; on the north-east by the villages Mylanee and Sulabutnuggur; on the south by allotment No. 7; and on the south-west by the village Nurota of District Shajehanpoor, from which it is separated by the Kutna River. | |
| 7 | Ditto | Allotment No. 7 | 5,011 | Bounded on the west by the villages Soonbaree and Nurota of District Shajeehanpoor, from which it is separated by the Kutna River; on the north by allotment No. 6 and the village Sulabutnuggur; on the east by allotments Nos. 8 and 9, from which it is separated by a water channel; on the south by the village Kurehta; and on the south-west by Mr. Powell's grant. | |

List of Waste Lands available for sale, -continued.

| Generalivamon | Pergunnah. | Name of Grant. | Approximate number of Acres. | Boundaries. | Remarks. |
|---------------|--|--|---------------------------------|---|---|
| 5 | | Propagation of the Street Co. | | A A A A A A A A A A A A A A A A A A A | |
| | | | A CT CONTRACTOR | TEHSEEL ALLEEGUNJ. | |
| 8 | Hyderabad | Allotment No. 8 | 5,005 | Bounded on the west by allotment No. 7 and the viliages Sulabutnuggur and Mylanee; on the north by Captain William Hearsey's grant; on the north-east by the grants of Mr. Singer and Abdool Wahid; on the east by the village Puharnuggur; and on the south by allotment No. 9. | |
| | A STATE OF THE STA | A garage the side of the second secon | × Å | · San | |
| 9 | Ditto, | Allotment No. 9 | 5,014 | Bounded on the west by the village Kurehta and allotment No. 7, from which it is separated by a water channel; on the north by allotment No. 8; on the east by the villages Puharnuggur and Jutpoorwa; and on the south by Mr. Carew's grant. | Property of the second |
| 10 | Ditto | Allotment No. 10 | 5,345 | Bounded on the west by Mr. Carew's grant; on the north by the villages Hurdowa, Dhankha, and Kulinjurpoor; on the east by allotment No. 11; and on the south-west by the villages Subsarpoor and Ussowa. | |
| 1! | Ditto - | Allotment No. 11 | 5,20 | Bounded on the west by allotment No. 10; on the north by the villages Kulinjurpoor and Balarpoor, and Mr. Read's grant; on the east by Mr. Hamilton's grant; on the south-east by the villages Nugra, Umlia, and Kuklapoor; on the south by the village Koonwurpoor and Mr. Smith's grant; and on the south-west by the village Subsarpoor. | |
| 4 | 12 Karunpoon | r Allotment No. 12 | 40 | Bounded on the west by Mr. Hamilton's grant; on the north by Mr. Read's grant on the east by Captain John Hearsey's grant; and on the south-east by the vil lage Bhoorwara, from which it is separated by the made road from Gola to Alleegunj. | 8 |
| | 13 Hyderaba | Allotment No. 13 | 6 | Bounded on the west by Mr. Carnegy grant; on the north by the village Purele on the east by Captain William Hearsey second grant; and on the south by M Carnegy's second grant, from which it separated by the Kutna River. | r's ir. |

Shajehanpoor,
The 29th July 1864.

JOHN CAVANAGH,

Asst. Supdt., Settlement and Survey.



The Gazette of India.

published by Authority.

CALCUTTA, SATURDAY, JANUARY 14, 1865.

mome Department.

LEGISLATIVE.

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor-General on the 7th January 1865, and is hereby promulgated for general information :-

ACT No. I of 1865.

An Act to authorize the extension of certain Acts and Regulations to Territories not subject to the General Regulations.

WHEREAS it is expedient to authorize the Govern or-General of India in Coun cil and the Lieutenant-Governors of the North-Western Provinces and the Punjab to extend to Non-Regulation Provinces under the immediate administration of the Government of India, or under the Governments of the Lieutenant-Governor of the North-Western Provinces and the Punjab respectively, certain Acts and Regulations in force at the time of the passing of this Act in parts of British India subject to the General Regulations; It is enacted as follows :-

Governor-General in Council may extend to certain Non-Regu-lation Provinces Acts and Regulations not in force there at the passing of this Act.

1. From and after the passing of this Act, it shall be lawful for the Governor-General of India in Country Council may extend cil, from time to time, by notification in the Gazette of India, to extend to any Non-Regulation Province under the immediate administration of the

Government of India the operation of any Act or Regulation, or of any portion of any Act or Regulation, in force at the time of the passing of this Act in any part of British India subject to the General Regulation. General Regulations.

2. From and after the passing of this Act, it shall be lawful for the Lieuten-

Lieutenant-Govern-Lieutenant-Governors of North-Western Provinces and Punjab may extend to certain Non-Regulation Provinces Acts and Regulations not in force there at the passing of this Act. ant-Governor of the North-Western Provinces as to the Non-Regulation Provinces under his government, and for the Lieutenant-Governor of the Punjab as to the Territories under his

to such Provinces and Territories respectively the operation of any Act or Regulation of the Government of India, or of any portion of any such Act or Regulation, in force at the time of the passing of this Act in any part of British India subject to the General Regulations.

3. Whenever the operation of any Act or Regulation or of any portion of any Act or Regulation shall be Power to direct by whom the powers inci-dent to the provisions applied under this Act shall be exercised. extended under either of the last two preceding Sections, the Governor-General of India

in Council or the Lieutenant-

Governor making such extension may direct by whom any powers, or duties incident to the pro-visions applied under such Section shall be exercised or performed, and may make any order which shall be deemed requisite for carrying such provisions into operation.

4. From the date of any such extension, so much of any Rule having the force of of law which shall be in opera-Repeal of inconsist-ent Rules. tion in the Territories to which such extension shall have been made, as shall be inconsistent with or repugnant to the enactment whose operation shall have been so extended, shall cease to have effect in such Territories.

5. This Act shall be called "The Acts and Regulations' Extension Act, Short title. * 1865."

> WHITLEY STOKES, Offg. Asst. Secy. to the Govt. of India, Home Dept. (Legislative.)

The following Bill was introduced into the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 6th January 1865, and was referred to a Select Committee.

No., 23 of 1864.

A Bill to legalize under certain circumstances the remarriage of Native Converts to Christianity.

Whereas it is expedient to legalize under certain circumstances the remarriage of Native Converts to Chris-Preamble. tianity, deserted or repudiated, on religious grounds, government, by notification in tianity, deserted or repudiated, on religious grounds, the Official Gazette, to extend by their wives or husbands; and to relieve ministers of religion from the penalties to which they are now liable for solemnizing such remarriages; It is enacted as follows :-

Short title.

This Act may be cited as "The Remarriage of Converts' Act, 1865."

Commencement of Act.

1

2. This Act shall commence and take effect on and from the first day of December

3. In this Act-

"Native Husband" shall mean a married man domiciled in British India, who Interpretation of shall have completed the age of terms. sixteen years, and shall neither "Native Husband." be a Christian nor a Jew.

"Native Wife" shall mean a married woman domiciled in British India, who "Native Wife." shall have completed the age of thirteen years, and shall neither be a Christian nor a Jewess.

"Native Law" shall mean any law, or custom having the force of law, of any "Native Law," persons domiciled in British India other than Christians and Jews.

"Month" and "year" shall respectively mean month and year according to "Month" and "year." the British calendar.

And, unless there be something repugnant in the subject or context, words "Number." importing the singular number shall include the plural, and words importing the plural number shall include the singular.

4. If a Native Husband change his religion for Christianity and if solely in consequence of such change Convert deserted by his wife on religious grounds may sue for conjugal society. his Native Wife, for the space of six continuous montha, desert or repudiate him, he may sue her for conjugal society.

5. If a Native Wife change her religion for Christianity and if solely in con-sequence of such change her Convert deserted by her husband on religious grounds may Native Husband, for the space for conjugal soof six continuous months, desert or repudiate her, she may sue him for conjugal society.

6. If the respondent, at the time of the com-Court in which suit mencement of such suit, reside within the local limits of the ordinary original civil jurisdiction of any of the High Courts of Judicature, the suit shall be commenced in such Court: otherwise it shall be commenced in the principal Civil Court of original jurisdiction of the District in which the defendant shall reside at the commencement of the

7. The suit shall be commenced by a petition Suit to be com. in the form in the first schemenced by verified pe-tition. dule to this Act, or as near thereto as the circumstances of the case will allow. The statements made in the petition shall be verified by the petitioner in the manner required by law for the verification of plaints; and the petition shall bear a stamp of ten rupees, and may be amended by permission of the Court.

- 8. A copy of the petition shall be served upon the respondent, and the Court On petition, citation issued to respondshall thereupon issue a citation under the seal of the Court and signed by the Judge, enent to appear and joining the respondent to appear in Court on a day to be named in such citation, not less than one month after the service of a copy thereof on the respondent, and answer whether she or he refuses to cohabit with the petitioner.
- 9. The citation shall be in the form in the Form of citation. second schedule to this Act or Form of citation. as near thereto as the circumstances of the case will allow.
- 10. A copy of the citation sealed with the Service of citation. seal of the Court shall be served on the respondent; and the provisions of the Code of Civil Procedure as to the service and endorsement of summonses shall apply, mutatis mutandis, to citations under this Act.
- If the respondent shall not appear personally in obedience to such Procedure where citation, and on every other respondent does not occasion on which the respondappear. ent's appearance shall be required under the provisions of this Act, she or he shall be liable to punishment under the hundred and seventy-fourth Section of the Indian Penal Code, and the Court may authorize the Magistrate of the District to proceed under such Section against the respondent.
- On the day fixed in the citation the 12. Points to be proved parties shall appear in Court, and the following points shall appearance parties be proved :-
- The identity of the parties:
 The marriage between the petitioner and the respondent:
- That the male party to the suit has com-(3.)pleted the age of sixteen years, and that the female party to the suit has completed the age of thirteen years:
- (4.) The desertion or repudiation of the petitioner by the respondent:
- (5.) That such desertion or repudiation was solely in consequence of the petitioner's change of religion;
- (6.) And that such desertion or repudiation had continued for the six months next before the commencement of the suit.
- 13. The Judge, if such points be proved to his satisfaction, shall thereupon First interrogation ask the respondent whether she of respondent. or he refuses to cohabit with the petitioner, and, if so, what is the ground of such refusal.
- 14. Such interrogation and every other interrogation mentioned in this Interrogations may be public or private. Act may, at the discretion of the Judge, take place in open Court or in his private room. If any such interrogation take place in open Court, the Judge may, so long as it shall continue, exclude from the Court all such persons as he shall think fit to ex-

a month if respond-ent refuses to co-habit on account of petitioner's conver-sion. Adjournment

15. If the respondent, in answer to the Judge's interrogatories, shall refuse to cohabit with the petitioner, and allege, as the sole ground for such refusal, that the petitioner has changed his or her religion, the Judge shall

make an order adjourning the case for one month, and directing that in the interim the parties shall,

Parties in the in. at such place and time as he rim to have a pri- shall deem convenient, have a shall deem convenient, have a vate interview. private interview of not less than one hour in length, with the view of ascertaining whether or not the respondent freely and voluntarily persists in such refusal. Such interview shall be subject to any conditions as to privacy which the Judge shall think fit: Provided that condition which might interfere with the ascertainment of the respondent's wishes respect-ing such refusal shall be imposed upon such interview.

16. At the expiration of such adjournment, the parties shall again appear in Court, and if the respond-Second interrogation of respondent. ent, on being interrogated by refuse to cohabit with the petithe Judge, again tioner, and allege, as the sole ground for such refusal, the Adjournment for a year. petitioner's change of religion,

the suit shall be adjourned for one year. 17. At the expiration of such adjournment Point to be proved on expiration of adthe parties shall again appear in Court, and the petitioner shall prove that the said desertion or repudiation had continued up to the time last hereinbefore referred to.

Proof of the mar-riage, and the deser-tion or repudiation of petitioner in consequence of conversion. petitioner

18. In any such suit, proof of cohabitation as man and wife shall be sufficient presumptive evidence of the marriage of the parties, and proof of the re-spondent's refusal or voluntary

neglect to cohabit with the petitioner, after his or her change of religion and after knowledge thereof by the respondent, shall be sufficient evidence of the respondent's desertion or repudiation of the petitioner, and shall also be sufficient evidence that such desertion or repudiation was solely in consequence of the petitioner's change of religion, unless some other sufficient cause for such desertion or repudiation be proved by the respondent.

19. The provisions of the Code of Civil Procedure, as to the summoning Provisions of Civil and examination of witnesses Procedure Code as to witnesses to apply shall apply in suits instituted in suits under Act. under this Act.

20. If the points mentioned in the twelfth and seventeenth Sections of On proof of the re-quisite points, suit to be adjourned for a month and parties to have another interthis Act shall be proved to the satisfaction of the Judge, he shall adjourn the suit for one month, and direct that in the

interim the parties shall have another interview of such length and subject to

suc' conditions as he shall think fit.
2. At the expiration of such adjournment the parties shall again appear in Court; and if the respond-At expiration of adjournment, if re-spondent refuse to cohabit, decree to pass permitting peti-tioner's remarriage. ent on being interrogated by the Judge again refuse to cohabit with the petitioner, and allege the petitioner's conver-

sion as the sole ground for such refusal, the respondent shall be taken to have finally deserted or repudiated the petitioner, and the Judge shall, by a decree under his hand and sealed with the seal of his Court, declare that it shall be lawful for the petitioner to marry again: Provided that it shall not be lawful for the petitioner so to marry any person standing in such a degree of relationship to the respondent as that, if but one of them had been a male, such person and the respondent could not have intermarried.

The parties' child-ren under the age of three years may be delivered to their mother on her applica-

22. If there shall be children of the petitioner and respondent, within the age of three years, in the sole custody or control of their father, or of any person by his authority, it shall be lawful for the Judge, on the application of their mother, to direct in the decree or by a

subsequent order that such children shall be delivered to, and remain in, her custody until attaining such age, subject to such regulations as the Judge shall deem convenient and just.

Dismissal of suit if either party is under the age required by the Act, or if the par-ties are cohabiting, or the respondent is willing to cohabit.

23. If at any stage of the suit it be proved that the male party to the suit is or was at the institution thereof under the age of sixteen years, or that the female party to the suit is or was at the same time under the age of thirteen years, or that the pe-

titioner and the respondent are cohabiting as man and wife, or if the Court is satisfied by the evidence adduced that the respondent is ready, and willing so to cohabit with the petitioner, the Court shall pass a decree dismissing the suit, and stating the ground of such dismissal.

24. If at any time after a decree dismissing the suit upon any of the Revival of suit afgrounds mentioned in the last ter such dismissal. preceding Section, the respondent again desert or repudiate the petitioner upon the ground of his or her change of religion, the suit may be revived by summoning the respond-ent; and upon proof of the former decree and of such renewed repudiation or desertion, the suit shall recommence at the stage at which it had arrived immediately before the passing of such decree; and after the proofs, interrogations, interviews, and adjournments which may then be requisite under the provisions hereinbefore contained, the Judge shall pass a decree of the nature and subject to the proviso mentioned in the twenty-first Section of this Act.

25. If at any stage of the suit it be proved that the respondent has desert-Petitioner's cruelty ed or repudiated the petitioner adultery to bar solely or partly in consequence of the petitioner's cruelty or adultery, the Court shall pass a decree dismissing the suit and stating the ground of such dismissal. A suit dismissed under this Section shall not be revived.

26. If the petitioner, being a male, has at the time of the institution of Male petitioner's cohabitation with one of several wives to shall make them all respondbar the suit. ents; and if at any stage of the suit it be proved that he is cohabiting with one of such wives as man and wife, or that any one of such wives is ready and willing so to co-habit with him, the Court shall pass a decree dismissing the suit and stating the ground of such dismissal. The provisions as to revival contained in the twenty-fourth Section of this Act shall apply, mutatis mutandis, to a suit dismissed under this Section.

27. If the petitioner, being a male, shall marMale petitioner's ry again under the provisions
remarriage not to affect status or rights of his Native wife or
children.

(if any) by him, of the status

which they would have had as his lawful wife or legitimate children, or (subject to the provisions hereinafter contained) of any right or interest which she or they would then have had, according to the Native law applicable to her or them, by way of maintenance, dower, inheritance, or otherwise, in case the petitioner had not so married again as aforesaid.

28. If any such petitioner predecease the Rights of Native respondent and the woman wife in case she and whom he shall have so marremarried Convert's ried, the respondent (subject wife survive him. to the provisions hereinafter contained) shall succeed, according to the Native law applicable to her, to such interest (if any) in the whole or part of the petitioner's property as she would have been entitled to had she been his senior widow or one of his widows as the case may be.

29. If during any such remarriage, intercourse between remarried petitioner and the respondent during remarriage to be deemed adulterous. (if any) born in consequence thereof shall be illegitimate.

After the passing of a decree permitting
After decree permitting any such remarriage and the dismissal of the appeal (if any) against such decree, it shall be lawful for the respondent also to remarry, and the issue of such remarriage shall be legitimate, any Native law to the contrary notwithstanding. But upon the respondent's remarriage, all rights and interests which she or he may then have in the

perty to cease. or he may then have in the petitioner's property by way of maintenance, inheritance, or otherwise, shall cease and determine as if the respondent had then died; and the petitioner, or, if the petitioner be dead, the persons entitled to such property on the respondent's death, shall thereupon succeed to the same.

Minister of religion legalized by this Act shall not bound to celebrate remarriage legalized by this Act. shall not be obligatory on any minister of religion.

Power to Court to sions of this Act, and it appear award alimony. to the Court that the wife has not sufficient separate property to enable her to maintain herself suitably to her station in life and to prosecute or defend the suit, the Court may, pending the suit, order the husband to furnish the wife with sufficient funds to enable her to prosecute or defend the suit, and also for her maintenance pending the suit. If the suit be brought by a husband against a wife, the Court may by the decree order the husband to make such allowance to his wife for her maintenance during the re-

mainder of her life as the Court shall think just, and having regard to the condition and station in life of the parties. Any allowance so ordered shall cease from the time of any subsequent marriage of the wife.

Appeal against or, deer and decrees under this Act.

Appeal would lie against any Court to which an appeal would lie against an order or decree made or passed by the former Court in any Civil case. Every such appeal shall be subject to the rules relating to Regular Appeals contained in the Code of Civil Procedure, so far as such rules are applicable to the case.

that are or shall become vested in her Majesty by the Statute 21 and 22 Vic., cap. 106, entitled "An Act for the better Government of India," except the Settlement of Prince of Wales' Island, Singapore, and Malacea. But it may be extended, with the consent of the Governor-General of India in Council, by order of the Governor of such Settlement to all or any part of the territory subject to his Government; and he may, with such consent as aforesaid, determine the Court in which suits against residents in such territory shall be commenced under the provisions of this Act. In case of such extension, if the Indian Penal Code shall not then apply to the said Settlement, the respondent's personal appearance pursuant to this Act may be enforced by such procedure as the said Governor, with such consent as aforesaid, shall provide in that behalf.

THE FIRST SCHEDULE.

Form of Petition.



To the Judge of the Civil Court of The day of 18

The petition of A. B. of Sheweth:—

- 1. That your petitioner was born on or about the day of 18 .
- 2. That your petitioner was on the of in the year 18 lawfully married to C. D. at
- 3. That the said C. D. is now of the age of years or thereabouts.
- 4. That after his said marriage, your petitioner lived and cohabited with his said wife at aforesaid until the day of 18; and that there are now living children, and no more, of such marriage, aged respectively and years.

5. That previous to the day of
18 your petitioner changed his religion for
Christianity, and that on such day he was baptized
and became a member of the Church of

6. That on the day of 18 [at least six months prior to the date of the petition], the said C. D. deserted your petitioner, and has not since resumed cohabitation with him.

7. That such desertion was solely in consequence of your petitioner's said change of religion.

8. That there is no collusion nor connivance between your petitioner and the said C. D.

Your petitioner therefore prays that your Honour will order the said C. D. to live and cohabit with your petitioner, or declare that it shall be lawful for your petitioner to marry again.

A. B.

Form of Verification.

I, A. B., the petitioner named in the above petition, do declare that what is stated therein is true to the best of my information and belief.

THE SECOND SCHEDULE.

Form of citation.

To C. D. of

Whereas A. B. of claiming to have been lawfully married to you, the said C. D., has filed his petition against you in the Civil Court of

praying that you may be ordered to live and cohabit with him, or that it may be declared that it shall be lawful for him to marry again, and alleging that you the said C. D. have deserted him for six months solely in consequence of his having changed his religion for Christianity: Now this is to command you that, at the expiration of days [at least one month] from the date of the service of this on you, you do appear in the said Court then and there to make answer to the said petition, a copy whereof, sealed with the seal of the said Court, is herewith served upon you.

And take notice that in default of your so appearing you will be liable to punishment under the hundred and seventy-fourth section of the Indian Penal Code.

Dated the day of

. 18

(Signed) E. F.

Judge of the Civil Court of

Endorsement to be made after service.

This citation was duly served by G. H. on the within-named C. D. of at on the

day of , 18

(Signed) G. H.

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill is to legalize under certain circumstances the remarriage of Native Converts to Christianity, whose wives or husbands have deserted or repudiated them exclusively on religious grounds. The question has been before the Government of India for a very long time, but the settlement of it has been delayed, chiefly on account of the great difference of opinion which has proved to exist between the religious bodies and persons most strongly interested in the matter as to the circumstances under which the remarriage of a Convert, before the death of the first wife or husband, may be considered permissible.

The present Bill attempts to solve the difficulty by an interposition of the secular power, leaving missionaries and ministers of religion to act on their own views of duty in remarrying their Converts. The secular character of the measure is marked by the recital in the Preamble, that it is no longer expedient to impose penalties on ministers of religion solemnizing such marriages, and by the provision that no minister of religion shall be compellable to avail himself of the liberty permitted by the Bill.

The persons entitled to relief under the Bill are defined as "Native Husbands," and "Native Wives." A "Native Husband" is a married man domiciled in India, being neither a Christian nor a Jew, who shall have completed the age of sixteen years. A "Native Wife" is correspondingly defined, except that the limit of age is thirteen years. It may be convenient, in describing the nature of the measure, to confine the statement to the case of a Native Husband.

The ground of relief is, in conformity with the draft Bill prepared by Sir Barnes Peacock, the "desertion or repudiation" of the Native husband by the Native wife, when such desertion or repudiation has taken place solely in consequence of the husband's having changed his religion for Christianity. The Bill further follows Sir Barnes Peacock's draft in providing (Section 18) that the wife's refusal or voluntary neglect to cohabit with her husband after his change of religion shall be sufficient evidence of the desertion or repudiation, and also, unless some other cause be shown, that the desertion or repudiation was in consequence of the hus-

band's change of religion.

The mode of relief is by suit for conjugal society. In the course of the suit, many separate interrogatories will be addressed to the Native wife by the Judge for the purpose of conclusively ascertaining her refusal to join her husband, and various private interviews are provided for as means of conciliation. It is only after all these efforts to overcome the wife's distaste have failed, that the Judge may make a decree permitting

the husband to remarry.

The desertion or repudiation must have continued for six months before the commencement of the suit. On the day fixed in the citation for the hearing, the respondent must appear personally, and the petitioner must prove the identity of the parties, the marriage, the age of himself and of his wife, the desertion or repudiation, its cause, and the fact that it occurred six months before the commencement of the suit and has continued ever since. These points being ascertained, the Judge (who will be a High Court Judge in the Presidency Towns, and a Zillah Judge in the Mofussil) will interrogate the respondent, but not necessarily in open Court. If the respondent allege the petitioner's change of religion for Christianity as the sole reason for her declining to cohabit with him, the case will be adjourned for a month, and provisions will be made for a private interview between the husband and wife, subject only to such conditions as to privacy as may not interfere with the free will of the latter.

At the end of the month the parties will reappear, and the wife will be further interrogated. If she still persist in her refusal, there will be a further adjournment for a year, and at the close of the year, the petitioner will be bound to prove that the desertion or repudiation has continued down to that time. The respondent will then be further interrogated, and arrangements will be made for a second interview. Should this still result in the wife's refusal to join her husband, the Judge will at length make the decree before-mentioned legalizing a remarring.

legalizing a remarriage.

The whole time necessarily occupied by these proceedings will be twenty months. Taking into account the preparations for the suit and the time required for the hearings, the entire interval between repudiation and remarriage will probably be about two years. These periods of time are

however, only inserted in the Bill pro forma, and can be altered in Committee. The further provisions of the Bill which call for special notice are the following :-

Cruelty or adultery proved against the peti-

tioner will bar the suit.

The children of the first marriage retain their personal and proprietary rights, and, if under the age of three years, may remain in their mother's custody until attaining that age. The wife retains the status which she would have had as lawful wife, and forfeits no right to maintenance, dower, or inheritance.

The respondent (the Native wife) is allowed to remarry after the decree permitting the petitioner's remarriage (Section 30); but if she remarries, she forfeits all rights or interests she may have in

the petitioner's property.

If the wife has not sufficient property to maintain herself, the Judge may award alimony to her; and may also order the husband to provide her with funds to prosecute or defend the suit, if she be in need of them.

A Convert married to several Native wives will

have to make them all respondents in the suit.

The provisions of the Bill with reference to Native wives deserted or repudiated by their husbands on religious grounds are the converse of those just recited, with the exception of the last.

The remaining provisions are of a technical

character.

HENRY S. MAINE.

The 29th December 1864.

WHITLEY STOKES, Offg. Asst. Secy. to the Govt. of India, - Home Department (Legislative).

The following Bill was introduced into the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 23rd December 1864, and was referred to a Select Committee, with instructions to make their report thereon in three weeks :-

No. 27 of 1864.

A Bill to amend Act XXV of 1864 (to provide for the solemnization of Marriages in India of persons professing the Christian Religion).

Whereas it is expedient to amend Act XXV of 1864 (to provide further for the solemnization of Marriages in India of persons professing the Christian Religion); It is enacted as follows :-

1. From and after the passing of this Act, for the following words in the seventh Section of Act XXV of 1864, Sec. 7. The following words in the seventh Section of Act XXV of 1864;—"By a Clergyman of the Church of England according to the rites, rules, ceremonies and customs of that Church," shall be substituted the following words:—"By a Clergyman who has received episcopal ordination according to the rites, rules, ceremonies, and customs of the Church of which ceremonies, and customs of the Church of which he is a minister," and such words shall form portion of the said Section.

2. The provisions of the twenty-fourth Section of Act XXV of 1864 shall

Act XXV of 1864, Section 24, not to apply to Clergyman of the Church of Rome licensed to solemnize marriages between 7 P. M. and 6 not apply to a Clergyman of the Church of Rome solemnizing a marriage between the hours of seven in the evening and six in the morning, when he shall have

received a general or special license in that behalf from the Roman Catholic Bishop of the Diocese in which such marriage shall so be solemnized, or which such marriage shall so from such person as the said Bishop shall have authorized to grant such license. And the said twenty-fourth Section shall be read as if the foregoing part of this Section were added thereto as a proviso.

3. Every marriage solemnized by a Clergyman of the Church of Rome shall Registration of marribe registered by the person ages solemnized by a Clergyman of the Church and according to the form directed in that behalf by of Rome. the Roman Catholic Bishop of the Diocese; and the twenty-fifth Section of Act XXV of 1864 shall be construed as if the former part of this section were inserted in the same Act next after its

twenty-sixth Section. 4. From and after the passing of this Act, Part V of Act XXV of 1864 shall not apply to marriages Part V of Act XXV of 1864 not to apply to marriages between Robetween Roman Catholics. But nothing herein containman Catholics. ed shall be construed to invalidate marriages (if any) previously contracted between Roman Catholics under the provisions of the said Part.

5. The following words shall be added to and Addition to Act XXV shall form part of the fiftysecond Section of Act XXV of 1864, Section 52. of 1864:-" or to marriages performed between the hours of seven in the evening and six in the morning by a Clergyman of the Church of Rome when he shall have received such general or special license in that behalf as hereinbefore mentioned."

Insertion in Act XXV of 1864 after the words "Clergy-of 1864, Section 55. 6. In the fifty-fifth Section of Act XXV of man of the Church of Scotland solemnizing a marriage according to the rules, rites, ceremonies and customs of that Church," shall be introduced the following words:—" or not being a Clergyman of the Church of Rome solemnizing a marriage according to the rites, rules, ceremonies and customs of that Church;" and such words shall be read as part of the same Section.

7. To the sixtieth Section of Act XXV of 1864, Addition to Act XXV of 1864, the following words shall be added: The words "Church Addition to Act XXV of 1864, Section 60. added: The words "Church of Rome" and "Roman Catholic," wherever used in this Act, shall mean and apply to the Church which regards the Pope of Rome as its spiritual head of Rome as its spiritual head.

8. The provisions of this Act and of Act XXV This Act and Act XXV of 1864 as amended by of 1864, to extend to Straits' Settlement. this Act shall extend to the territory subject to the territory subject to the Gov-

ernment of the Straits' Set-tlement; and the Governor of such Settlement for the time being shall have authority to grant licenses to ministers of religion to solemnize marriages within the territories subject to his Government.

Supreme Court in Straits' Settlement to try offences punishable under Act XXV of 1864.

9. The Supreme Court of Judicature in the Straits' Settlement shall have power to try offences punishable under Act XXV of 1864, and committed within the limits of such Settlement; and the charge for any such offence

shall be investigated and the committals shall be made under the procedure by which such Court is regulated.

Form annexed to this Act to be substituted for Schedule C to Act XXV of 1864.

10. For Schedule C annexed to Act XXV of 1864 shall be subtituted the form annexed to this Act.

Form of Register of Marriages.

Quarterly Returns of MARRIAGES,

for

Calcutta, The Archdeaconry of ... Madras, Bombay,

Calcutta, Madras, do hereby Registrar of the Archdeaconry of (Bombay,

certify, that the annexed are correct copies of the original and official Quarterly Returns of Marriages Calcutta,

Madras, as made and transmitted to me for the Quarter commencing the within the Archdeaconry of (Bombay,

First day of January ending the Thirty-first day of March, in the Year of Our Lord One Thousand Eight Hundred and Sixty-five.

Signature of Registrar Calcutta, Registrar of the Archdeaconry of Madras, Bombay.

MARRIAGES solemnized at

Allahabad, Barrackpore, Bareilly, Calcutta, &c., &c.

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| Year. | Month. | Day. | Christian. | Surname. | Age. | Condition. | Rank or Profession. | at the time of marriage. | Father's Name and Surname. | or License. | Signatures of the Parties. | Signatures of two or more Witnesses present. | Signatur by whom married. |
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STATEMENT OF OBJECTS AND REASONS.

The principal object which the present Bill seeks to attain, is the relief of the members of the Church of Rome residing in India from the operation of certain provisions in Act XXV of 1864 which are stated to have inflicted hardship upon them.

2. The Bill also provides that the operation of Act XXV of 1864 shall extend to the territories subject to the Government of the Straits' Settlement, and indicates the manner in which offences committed period that the said territories shall be disposed of mitted against that Act in the said territories shall be disposed of.

The 22nd December 1864.

H. L. ANDERSON.

WHITLEY STOKES, Offg. Asst. Secy. to the Govt. of India, Home Department (Legislative).

HOME DEPARTMENT.

NOTIFICATION.

The under-mentioned Foreign Representatives are added to the List of those having the Private Entrée:—

The Consul General of France.

" of Portugal.

,, of the United States of America.

The Consul of Austria.

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of Belgium.

,, of Brazil.

of Bremen. of Denmark.

of Hamburg.

of Hamburg of Hanover.

of Italy.

, of Netherlands.

of Oldenburg.

of Prussia.

of Sweden and Norway.

The Vice-Consul of Greece.

of Spain.

By Command,

E. C. IMPEY, Captain,

Mily. Secy. to the Viceroy.

MILITARY SECRETARY'S OFFICE;

CALCUTTA,

The 12th January 1865.

No. 88 A.

Fort William, the 5th January 1865.

NOTIFICATIONS.

Mr. Philip Sandys Melvill, of the Civil Service, is permitted to proceed to Europe on furlough for a period of three years, from the date of embarkation.

No. 200 A.

. The 9th January 1865.

The Governor General in Council is pleased to invest Tezie Sing, Patel of Baitool, in the Central Provinces, with the powers of a Subordinate Magistrate of the Second Class, as described in Chapter II, Section 22 of Act XXV of 1861, to be exercised within the Pergunnah of Baitool.

No. 218.

Lieutenant G. H. Trevor, R. A., officiated as Inspector of Schools, Eastern Circle, Central Provinces, from the 12th August 1862 to the date of this Notification, and will continue to officiate in that appointment till further orders.

No. 222 A.

The 10th January 1865.

The Governor General in Council is pleased to appoint Assistant Surgeon John Reid, of the Bengal Establishment, to be Civil Assistant Surgeon of the Bhundara District, in the Central Provinces.

No. 250.

The 11th January 1865.

Dr. J. P. Cromarty, Civil Surgeon of Tavoy, has received one month's preparatory leave from the 22nd of December, to enable him to appear before a Medical Committee in Calcutta.

No. 251.

Leave of absence for two years is granted to Dr. J. P. Cromarty, Civil Surgeon, Tavoy, under para. 11 of the Uncovenanted Absentee Rules, from the date on which he may avail himself of the same.

No. 255.

The Reverend J. Dawson, Assistant Chaplain on the Bengal Establishment, has obtained leave of absence on urgent private affairs for eleven months, from the date of the embarkation of Her Majesty's 71st Regiment, to which he is at present attached.

No. 300.

The Governor General in Council has been pleased to grant to Dr. W. H. Clarke, Recorder of Rangoon and Moulmein, leave of absence for 15 months, on medical certificate, and to appoint Mr. J. Pitt Kennedy to be Recorder on the full salary of the appointment during the absence of Dr. Clarke.

No. 359.

The 12th January 1865.

Captain C. R. Shaw, appointed a Cantonment Magistrate of Lucknow by orders No. 6564, dated the 16th ultimo, assumed charge of his office from Captain H. S. V. Fisher on the afternoon of the 22nd idem.

Under the provisions of Section 3 of Act XXII of 1864, the Governor General in Council is pleased to invest the following Officer with the powers of a Magistrate:—

Captain C. R. Shaw, within the limits of the Cantonment of Lucknow.

Under the provisions of Section 6, of Act XXII of 1864, the Governor General in Council is pleased to sanction the Establishment of a Court of Small Causes, within the limits of the Cantonment of Lucknow, for the trial of suits not exceeding Rs. 500 in value.

Under the provisions of Section 44 of Act XXII. of 1864, the Governor General in Council is pleased to empower the Judicial Commissioner of Oudh to exercise, in respect to the Court of Small Causes within the Cantonment of Lucknow, the powers vested in the Sudder Court by the provisions of Act XLII of 1860.

No. 360.

Mr. T. Garrett, Post Master of Bombay, is transferred to Madras, and Mr. Stuart, Post Master of Madras, is transferred to Bombay.

No. 361.

The Governor General in Council is pleased to appoint Dr. S. C. Townsend, of the Bengal Medical Establishment, to be Civil Surgeon of Nagpore, in the room of Dr. Hende, who has obtained furlough.

No. 363.

The services of Assistant Surgeon C. E. W. Bensley, M. D., Civil Surgeon of Raepore, are placed at the disposal of the Government of Bengal.

No. 366.

The Governor General in Council is pleased to attach Mr. T. N. Wilson, of the Civil Service, reported qualified for the Public Service, to the Bengal Division of the Presidency of Fort William.

No. 367.

The Governor General in Council is pleased to attach Mr. McAuliffe, of the Civil Service, reported qualified for the Public Service, to the North-Western Provinces, the Punjab, and Oudh.

The services of Mr. McAuliffe, Junior Civil Servant, are placed at the disposal of the Foreign Department for employment in the Punjab.

No. 368.

The Governor General in Council is pleased to attach Mr. J. C. Williams, of the Civil Service, reported qualified for the Public Service, to the North-Western Provinces, the Punjab, and Oudh.

No. 369.

Mr. J. C. Williams, Junior Civil Servant, having obtained a Certificate of High Proficiency in Hindi, has been presented with the authorized donation of Rs. 800.

No. 370.

Mr. J. R. Hallett, Junior Civil Servant, having, within the prescribed interval after arrival in India, passed examinations in two languages, has been presented with the authorized donation of Rs. 800.

No. 371.

The 13th January 1865.

The Governor General in Council is pleased, under Section 11, Act XI of 1863, to extend the provisions of the said Act to the Province of Oudh.

No. 372.

Under the provisions of Section 6 of Act XXII of 1864, the Governor General in Council is pleased to sanction the establishment of a Court of Small Causes within the limits of the Cantonment of Fyzabad, for the trial of suits not exceeding Rs. 500 in value.

Under the provisions of Section 44 of Act XXII of 1864, the Governor General in Council is pleased to empower the Judicial Commissioner of Oudh to exercise, in respect to the Court of Small Causes within the Cantonment of Fyzabad, the powers vested in the Sudder Court by the provisions of Act XLII of 1860.

No. 373.

The Right Reverend the Lord Bishop of Calcutta has granted one month's privilege leave to the Reverend C. S. P. Parish, Chaplain of Moulmein, from the date on which he may avail himself of it.

No. 374.

Privilege leave of absence for two months, with effect from the date on which he may avail himself of it, is granted to Doctor G. Y. Hunter, Civil Surgeon of Nimar.

No. 376.

The Governor General in Council is pleased to direct the following addition to be made to List

No. II, published under date the 29th September 1854, of parties authorized to send letters and official Gazettes bond fide and exclusively on the Public Service, relating to the business of their respective departments, without actual payment of postage, but only to the authorities hereinafter named, viz. :-

The Superintendent of Navigation, Ganges Canal ...

Executive Engineers of the Ganges Canal; The Controller and Examiner, Public Works Department; and Collectors of Districts in the North-Western Provinces.

R. N. Cust,

Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

JUDICIAL.

No. 8.

Fort William, the 10th January 1865.

Captain J. G. Bell, Deputy Commissioner of South-West Berar, is invested with the powers described in Section I of Act XV of 1862.

Lieutenant Huddleston, Deputy Commissioner of South-East Berar, is invested with the powers described in Section I of Act XV of 1862.

No. 13.

Captain C. T. O. Mayne, an Assistant Commissioner in the Hyderabad Assigned Districts, is invested with the powers of a Magistrate under Section 22 of Act XXV of 1861.

No. 15.

The 11th January 1865.

The following Officers at present exercising the powers of a Magistrate in the Hyderabad Assigned Districts, are invested with authority to decide cases under Act IX of 1860:—

Captain J. Allardyce, Deputy Commissioner, East Berar.

Mr. J. G. Cordery, Officiating Deputy Commissioner, West Berar.

Captain J. G. Bell, Deputy Commissioner, South-West Berar.

Lieutenant Huddleston, Deputy Commissioner, South-East Berar. Captain J. T. Bushby, 1st Class Assistant Com-

Lieutenant H. C. A. Szczepanski, 1st Class Assistant Commissioner.

Mr. C. Hordern, 2nd Class Assistant Commissioner.

Lieutenant K. J. L. Mackenzie, 2nd Class Assistant Commissioner.

Lieutenant J. Fitzgerald, 2nd Class Assistant

Commissioner. Lieutenant R. Bullock, 3rd Class Assistant Commissioner.

Captain C. T. O. Mayne, 3rd Class Assistant Commissioner.

Mr. C. W. Davies, Extra Assistant Commis-

sioner, 1st Class. Mr. J. H. Burns, Extra Assistant Commissioner, 2nd Class.

REVENUE.

No. 15.

The 10th January 1865.

The following "Revised Rules for the sale of Waste Lands in Oudh" are published for general

By order of His Excellency the Viceroy and Governor General in Council,

> C. U. ATTCHISON, Under Secy. to the Govt. of India.

Revised Rules for the Sale of Waste Lands in Oudh.

PREAMBLE .- Under the Native Government, all unassessed waste lands in the Province were held to be the property of the State, and the right has devolved on the British Government, and been recognized and acted on by it since annexation. Under both Governments such lands have been made the subject of grants by the ruling power, and the rights of pasturage, of wood cutting, of gathering the jungle produce, &c., in waste tracts large enough to yield a tolerable rent, have been and still are leased, on the part of Government, to the highest bidders, or other parties selected for good reason. It is evident, then, that all the unassessed waste land in the Province might be sold by Government without furnishing legal ground of objection to any one, but it is expedient to leave a certain portion of waste to the villages bordering on it, and to reserve, in the hands of Government, certain tracts known to produce timber or other valuable products. In the execution of the following rules, then, it must be recollected that to every village bordering on unassessed waste a portion of such waste must be allotted, which, at the regular survey and settlement, will be included in its limits, and assessed with it, according to the principles and rules of the settlement. Mr. Wingfield has ruled, generally, that 300 acres is not too large an area to be so allotted, or, in other words, that 300 acres might be given, where the size and circumstances of a village seemed to require it. The demarcation officers, after this ruling, divided any unassessed waste, found in otherwise cultivated tracts, between the villages bordering on it, giving to each a share proportionate to its area, and the principle seems to have met with very general approval. But this principle, however applicable to the districts already demarcated, in which cultivation is the rule and waste the exception, will not suit those districts where the waste is of great extent in proportion to the cultivation. Mr. Wingfield's ruling, also, does not afford assistance in deciding what is a proper proportion of waste to allot to villages. The Officiating Chief Commissioner considers that, on this point, the following rule may be safely adopted, viz., that to every village bordering on an unassessed waste tract shall be allotted a portion of waste adjoining it equal to its own area. In carrying out this rule, it will occa-sionally happen either that no surplus land will remain available for sale, or only a very small portion, but the sale of any such small surplus portions is unadvisable, and, as a supplement to the above rule, the Officiating Chief Commissioner

directs that where a surplus is less than 500 acres, it shall not form a portion of an allotment for sale, but be considered divisible among the bordering villages, in proportion to their areas. Where the surplus exceeds 500 it may be allotted for sale, if applied for. In this way the interests of the State will not suffer, for, in the end, it will derive its just revenue from the now unassessed waste to be included in the Settlement of the villages to which it may be allotted. Nor can intending settlers justly complain of being deprived of the chance of purchasing small detached portions of land for which the competition of the neighbouring land-owners would certainly compel them to pay a price above its real value. On the other hand, by this plan, all cause will be removed for the ill-feeling certain to be originated among neighbouring landlords and tenants were the whole of the waste land disposed of to a stranger, or even to one person only among themselves.

. With regard to Forest land, 68 such tracts, lying west of the Korealee River, have already been demarcated, and the remainder, to the east of the river, which are believed to be both more numerous and of greater extent than the others, will, it is hoped, be demarcated before May 1863. As the maps are got ready they will be published, and, in the mean time, no allotment for sale will be made within the general tract over which these forests are scattered. With the above exception, all unassessed waste lands in Oudh are available for purchase under the following rules, until Government gives notice of intention to make any alteration on the same.

RULES.

1. When the unassessed waste is in large tracts, the lots will not exceed 5,000 acres, and each must be in one continuous and compact piece.

2. When it consists of detached portions, exceeding 500 but under 5,000 acres, each such portion shall be considered and treated as a separate lot. If any such portion exceeds 5,000, but is less than 10,000 acres, it will be divided into two lots, as nearly equal as possible. Where it exceeds 10,000 acres it comes under Rule 1.

3. In making allotments, under either of the above rules, care must first be taken to allot to each bordering village an extent of waste equal to its own area (including village site, cultivated and fallow land, with intervening patches of waste), and if the surplus left after this process does not exceed 500 acres, it will not be available for sale.

- 4. The available unassessed waste lands will hereafter be surveyed and divided off into lots not exceeding 5,000 acres each. These lots will be numbered and maps published for the benefit of intending purchasers. In the mean time, any person wishing to purchase available waste must define, as accurately as he can, in his application on the subject to the Deputy Commissioner of the district, the tract he wishes to purchase, naming the villages bordering thereon, if any, and their situa-tion in regard to it, and stating the area estimated to be available after the deductions noted in Rule 3.
- 5. On receipt of such an application, the Deputy Commissioner will proceed to inquire:—

1stly.-Whether the lands applied for are really unassessed waste.

2ndly.-Whether they have been included in any prior existing grant or lot.

3rdly.-Whether in all probability the surplus available after deductions will exceed

If the result of his enquiry leads him to conclude that the lands are not unassessed waste, or that they have been included in a prior existing grant, he will reject the application, leaving applicant to appeal to the Commissioner. If he thinks the surplus available will, in all probability, not exceed 500 acres, he will give the applicant the option of having the survey and measurement necessary to decide the point made at applicant's expense.

6. When the Deputy Commissioner is satisfied that, as regards all these points, the land is available for sale, he will cause it to be surveyed (provided this has not been already done under the last clause of the preceding rule), measured, demarcated, and mapped, having first realized from applicant the cost of such processes, at the rate of Rs. 4 per 100 acres, and the charges of advertisements and other contingencies at Rs. 20

per lot.

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7. On completion of the survey, mapping, &c., the Deputy Commissioner will cause the lot to be advertized for sale in two successive numbers of the Allahabad Government Gazette, and of the two principal papers, English and Native, published in Lucknow. Notices of the intended sale shall also be hung up in the offices of the Divisional Commissioner and Deputy Commissioner himself, (and to each of these a copy of the Map of the lot will be attached,) and in each Tehseel Cutcherry of the district; and such notices shall also be served at the Cutcherries of the principal Talookdars or Zemindars, among the villages bordering on, or nearest to, the land proposed to be sold, and lastly, some responsible officer assembling the Choukeedars and other officials of the said villages, on the land itself, shall orally give notice of the

8. The advertisements and notices shall state the name of the applicant; the boundaries and extent of the land; the upset price at 2-8 or 5 Rupees per acre, according to the nature of the soil and probable cost of clearance, and without any deduction for unculturable waste; and the day of sale at the Deputy Commissioner's Office (and no other place), being not less than 3 months from the date on which the advertisement or notices, having been previously prepared, were issued from office for publication as above directed. When it is probable that two or more sales will take place about the same time, one and the same date should be fixed for all.

9. If, on any day before that fixed for the sale, a claim shall be preferred to a right in the land, or any part thereof, the Collector shall proceed in the manner directed in Sections 1 to 5 of Act XXIII of 1863, bearing always in mind that in this Province, by Board of Revenue or other Superior Revenue authority, he will understand the Chief Commissioner. A sale postponed under Section 3 of the Act, should not take place without fresh advertisement and notice of 30 days.

10. At noon of the day of sale, the lots advertised to be sold, and of which the sale has not been postponed or barred, shall be put up one by one, in the order of dates of advertisement, and sold to the highest bidder; at or above the upset price declared in the advertisement.

11. On a lot being knocked down to a purchaser at a sale held under the preceding rules, he shall

receive a Memo. from the Collector, stating the fact, andwarning him that, within 30 days from that date, he must pay into the Treasury a sum not less than 10 per cent. of the purchase money, otherwise the sale shall be held to be cancelled and the land be resold. Provided that, if the purchaser be not the person who deposited the costs of survey and advertisement as prescribed in rule 6, the above Memo. shall not be given to him until he pay into the treasury a sum equal to that so deposited, and this sum shall be paid on demand to the original depositor, or his authorised agent. If the purchaser does not pay in this sum by sunset of the day of sale, the sale shall be considered void, and the lot put up again for sale at noon of the following day, or next Office day.

12.-If the purchaser fail to pay 10 per cent. of the purchase money, on or before the 30th day after the day of sale, the sale shall be declared cancelled, and no further proceedings shall be taken regarding the same land until another application is in due form made for it, when advertisement and notices shall be issued as before, but no prelimi-

nary enquiry made.

13. If the purchaser pay 10 per cent. on or before the 30th day after that of sale, and the Commissioner has, in the mean time, rejected any appeals preferred against the order of the Collector rejecting claims to the land, or against any alleged informality sufficient to invalidate the sale, then the Collector shall grant to the purchaser a deed signed by himself, and in the annexed form, which shall be held to convey to him a full hereditary and transferable proprietary right in the land sold, and to absolve it from all demand for land revenue by Government, and all claims whatever of previous right of any kind, by whomsoever preferred, but the land shall remain liable for payment of the purchase money, with interest at 10 per cent., and to all general taxes and local cases to which other lands paying revenue are liable, and to all claims by third parties, according to the provisions of the Act to be passed on the subject. The deed shall also prescribe the mode and time of payment of the remainder of the purchase money, which shall be as the purchaser pleases, provided not less than 10 per cent. of the original sum, with 10 per cent. on all arrears from the last preceding payment, be paid yearly on or before the anniversary of the date of sale.

14. Failure to pay any instalment or portion of instalment, subsequent to that paid within 30 days of the day of sale, or of any arrears of interest, shall render the lot liable to be sold for realization of the arrears, &c. On failure occurring, the Collector shall immediately give notice to the owner, if resident in the district, or to his agent or servant in the land, and shall advertise the amount of arrears, with all necessary particulars, in two successive Nos. of the Government Gazette, and of two of the principal English and Vernacular papers of the Province, and these advertisements shall be considered sufficient notice, if the principal or his agent do not receive personal notice, but re-sale shall not be advertised until 3 months after the date of failure, within which period the Collector shall be at liberty, if he sees fit, to receive the arrears if tendered by the owner, and such receipt shall be held to condone the failure. rules above prescribed for sale shall apply to a re-sale under this Section, except that the bids shall not be at so much per acre, but in round sums for the lot as it stands, and the purchaser must pay 10 per cent. on the day of sale, or in default, the lot shall be again put for sale on the same or the next open day, and the remainder within 30 days thereof, otherwise the sale shall be cancelled: the 10 per cent. paid shall be forfeited, and the lot resold after re-issue of the advertisements and

notices, as prescribed above for a sale.

In the event of sale for arrears, as prescribed in the preceding Section, the proceeds shall be applied, first, to defray all expences of sale; 2ndly, to the payment to Government of the full amount of the arrears due on the original purchase of the lot, together with interest at 10 per cent. on the same from the last preceding date of payment; 3rdly, to refund to the party whose right has been sold the amount he may have paid for survey and instalments of purchase money, but without interest; and 4thly, the remainder, if any, shall be divided rateably between Government and the party who has been sold out, the latter receiving a share in the proportion of the amount of the instalments he had paid to the whole of the purchase money.

16. No party shall have a legal right to a refund of any money paid by him, unless the same has been prescribed in any of the preceding sec-

17. On granting the deed mentioned in the 12th Rule, the Deputy Commissioner shall, by a written order, direct a Tehseeldar or other responsible Officer to put the purchaser, or his agent, in possession, and that Officer shall give possession accordingly on the spot, in the form usual in the country, and taking the receipt from the purchaser, or his Agent, shall forward it to the Deputy Commissioner, with his report stating execution of the

order he had received.

18. Within six months after receiving possession, as above, the purchaser shall erect substantial masonry boundary pillars at such spots as the Deputy Commissioner shall specify on a map of the land to be supplied by him to the purchaser. In the event of the latter failing to erect these pillars, the Deputy Commissioner shall have them erected and charge the cost to the purchaser, who shall pay the amount with his next yearly instalment, or if the whole purchase money shall have been paid, at such date as the Deputy Commissioner shall fix, and failure to pay at the time fixed shall cancel the sale in the manner provided for by failure to pay an instalment of purchase money.

19. If any dispute should arise, as to the boundaries, between the owners of adjoining lots, sold under these rules, the Deputy Commissioner shall re-adjust them, realising and refunding from and to the owners respectively, as his decision may require: when any land has been included in two lots, it shall be held to belong to that of which the sale first took place: when a river forms the boundary between two grants, the main channel shall be considered the boundary, whatever change may take place by gradual encroachment on the one side and accession on the other, but in case of any other change, the old boundary shall hold good.

20. If a purchaser wishes to pay the price of a lot into any other treasury than that of the district in which the lot lies, he will apply by letter to the

Chief Commissioner for permission to do so.

21. All sums paid on account of purchase of waste lands shall be held in deposit till further orders.

22. Holders of grants of waste lands under previous rules will be allowed to purchase them at

any period before the payment of revenue to Government commences, at the average price per acre of the whole of the land sold by auction under the rules now superseded, or under the present rules in the district in which the grant may situated, and at least three lots must have been sold separately by auction before an average can be calculated. But, in case of the whole lands of a district having been disposed of without the occurrence of these auction sales, the average of the nearest district competent to yield it may be taken.

23. All applications, petitions, &c., connected with the disposal of waste lands, and claims thereto, presented to a Deputy Commissioner, shall be on

plain paper.

FORM OF DEED OF SALE OF WASTE LANDS.

| 1 - these presents that the tract |
|--|
| KNOW ALL MEN by these presents, that the tract |
| of waste land Registered No. British acres, situallah ated in Pergunnah British acres, situallah Zillah |
| and bounded on the |
| North by on the South by |
| and on the West by having |
| been put up to auction on the and having been knocked down to for Rs. , of which Rs. has been paid into the Government Treasury, I, Deputy Commissioner of the authority of the |
| Chief Commissioner of Oudh, do hereby convey to the said his heirs, executors, administrators, and assigns, a full hereditary and transferable proprietary right in the land sold, and to all its produce, subject to the following condi- |
| let The balance of the purchase-money, with |

interest at 10 per cent. per annum on all arrears from date of last preceding payment, shall be paid as follows, viz. :-

1863, Rs. 1864, Rs. 1865, Rs. 1866, Rs. 1867, Rs. 1868, Rs. 1869, Rs. 1870, Rs. 1871, Rs.

2nd.—Substantial masonry pillars shall be erected by the purchaser within six months after receiving possession of the lot, at the spots marked on the map supplied, or, should such pillars be erected by the Deputy Commissioner, their cost shall be paid by the purchaser with the first, yearly instalment.

3rd.—The lot is hereby absolved from all demands for land Revenue by Government, but is liable to all general taxes and local cesses, and to the Acts and Regulations to which lands paying revenue are liable, and to all claims by third par-ties, according to the provisions of the Act about to be passed on the subject.

The cases assessed at a percentage on the land revenue in Oudh as follows:-

School Fund 1 per cent. Sec. 1 per cent. District Dawk d per cent. 1 per cent. Margin

In calculating these cesses, the land revenue will be assumed to be one-twentieth of the purchase

-The right of way heretofore enjoyed by 4th.the public in roads existing in the lot will be

maintained.

5th .- Nothing herein contained shall be held in any way to affect the right of Government and the public to existing and customary rights of freely using any stream within the said tract for purposes of irrigation and navigation, or for the transport of timber and other property, and for

other purposes of general utility.
6th.—Failure to fulfil any of the above conditions will render the lot liable to the penalties defined in Nos. XIV., XV., and XVIII. of the Rules for the sale of Waste Lands.

No. 17.

His Excellency the Viceroy and Governor General in Council is pleased to extend the Central Provinces Waste Land Sale Rules to the District of Nimar, and to determine that, as regards Rules II. and IX., viz., the maximum limit of a single grant and upset price per acre, Nimar is to be classed with the adjoining District of Hoshunga-

MILITARY.

No. 5.

The 11th January 1865.

Lieutenant J. R. McK. Homfray, Doing-duty Officer in the 36th Regiment, Native Infantry, is appointed to be Doing-duty Officer in the Malwa · Bheel Corps.

No. 8.

The 12th January 1865.

Major A. M. Mackenzie, Commandant, Meywar Bheel Corps, and Superintendent of Hilly Tracts in Meywar, availed himself, on the 5th December, of the privilege leave granted him in G. O. No. 202, dated 6th October last, making over charge of his current duties to Lieutenant and Adjutant W. Battye, of the Meywar Bheel Corps.

POLITICAL.

No. 21.

The 10th January 1865.

His Excellency the Vicevoy and Governor General in Council is pleased to recognize Mr. Auguste Burmester as Consul for Bremen, at Cocanada, on the Coromandel Coast.

No. 32.

The 13th January 1865.

With reference to G. O. No. 185, dated 22nd June 1864, it is hereby notified that Her Majesty's Government has sanctioned the appointment of Mr. James Black as Acting Vice-Consul for Denmark, at Rangoon, during the absence of Mr. W. S. Steel.

No. 34.

With reference to G. O. No. 243, dated 9th July 1864, it is hereby notified that Her Majesty's Government has sanctioned the appointment of

Mr. J. J. Phillips as Consular Agent, ad interim, for France at Kurrachee, in the room of Monsr. H. de Closets.

No. 44.

The 13th January 1865.

Erratum .- In G. O. dated 5th ultimo, No. 613, for "Jumaloodeen" read "Julaloodeen."

GENERAL.

No. 39.

The 11th January 1865.

Lieutenant C. W. Street, Assistant Commissioner, 2nd Class, in British Burmah, made over charge of the Treasury of the Amherst District to Mr. G. E. Barr, Officiating Assistant Commissioner, on the forenoon of the 10th December

No. 40.

Mr. G. A. Boswell, Extra Assistant Commissioner, 1st Class, Hyderabad Assigned Districts returned to his duty on the forenoon of the 22nd December last, from the privilege leave granted him in G. O. No. 1580, dated 15th December.

No. 41.

The one month's privilege leave of absence granted by the Lord Bishop of Calcutta to the Reverend J. H. Hocking, Chaplain of Gwalior, is confirmed.

No. 43.

Moung Htoon, Extra Assistant Commissioner, 2nd Class, in British Burmah, obtained privilege leave of absence from the forenoon of the 21st October to the forenoon of the 4th November last.

No. 44.

Lieutenant T. Cadell, v. c., Deputy Bheel Agent and Political Assistant, will conduct the duties of Major Cumming, in addition to his own, during the absence of Major Cumming on the leave granted to him in G. O. No. 1275, dated 17th November 1864.

No. 53.

Lieutenant Colonel R. C. Lawrence, c. B., Deputy Commissioner of Simlah, is appointed to officiate as Resident in Nepal during the absence on leave of Colonel G. Ramsay.

No. 56.

Mr. R. D. Nuthall, appointed in G. O. dated 21st September last, No. 1268, to be Superintendent of Elephant Keddahs in the Central Provinces, entered on the duties of his Office on the 6th December 1864.

No. 68.

The 12th January 1865.

Lieutenant A. N. Bruce, Assistant to the Governor General's Agent, received charge of the Office of Assistant General Superintendent for the sup-pression of Thuggee in Rajpootana, on the 23rd of December 1864, from Captain D. W. Wise.

No. 70.

Mr. F. O. Mayne, c. B., received charge of the Baiswarra Commissionership from Captain J. Perkins on the forenoon of the 19th December last.

Mr. H. S. Boys, Assistant Commissioner in Oudh, received charge of his Office at Nawabgunge on the afternoon of the 18th December.

No. 71.

The services of Mr. M. McAuliffe, c. s., are placed at the disposal of the Punjab Government.

No. 80.

The 12th January 1865.

Erratum.—For the words "His Excellency the Viceroy and Governor General of India in Coun-

cil," in Notification No. 1676, dated 28th December last, read "His Excellency the Viceroy and Governor General."

No. 81.

Mr. Seetaram Rao, Extra Assistant Commissioner, 3rd Class, Hyderabad Assigned Districts, is promoted to the 2nd Class, vice Mr. Bymanjee Jamasjee, appointed 1st Class Extra Assistant.

No. 82.

Erratum.—For the words "2nd Class" in the appointment of Messrs. Ruttonjee Jamasjee and Bapoojee Ragonath, Tehsildars, in G. O. No. 1372, dated 24th November last, read "3rd Class."

C. U. AITCHISON, Under Secy. to the Govt. of India.

FINANCIAL DEPARTMENT.

No. 181.

Fort William, the 9th January 1865.

NOTIFICATIONS.

Statement of the amount of Government Currency Notes in circulation, of the amount of Coin and Bullion Reserve, and Government Securities held by the Department of Issue of Paper Currency.

| Date of Return. | Circles of Issue. | Notes in Circulation. | Silver Coin Reserve. | Silver Bullion Reserve. | Government Securities held in Cal- cutta. |
|------------------------|--|-----------------------------|----------------------------|--|--|
| 1864. | | | o production | A The Control | |
| Decr. 31st | Calcutta | 2,90,94,920 | 81,31,775 | 71,00,000 | 1,38,63,145 |
| ,, ,, | Allahabad | 14,55,070 | 14,55,070 | The state of the s | |
| ,, 24th | Lahore | 9,46,200 | 9,46,200 | | |
| " 31st | Nagpore | 3,39,450 | 3,39,450 | | |
| " " | Madras | 65,00,000 | 29,96,137 | | 35,03,863 |
| , n ,, n | Bombay | 3,65,00,000 | 2,08,71,997 | 26,00,000 | 1,30,28,003 |
| Deduct- | A STATE OF THE STA | 7,48,35,640 | 3,47,40,629 | * 97,00,000 | 3,03,95,011 |
| | es of other Circles cashed at ead Office | 44,300 | 44,300 | | |
| th harms of | Total | 7,47,91,340 | 3,46,96,329 | 97,00,000 | 3,03,95,011 |

DEPARTMENT OF ISSUE OF PAPER CURRENCY,

CALCUTTA,

Dated 4th January 1865.

H. HYDE,

Head Commissioner, Department of Issue

of Paper Currency.

No. 255.

Mr. H. D. Sandeman, Civil Pay Master, Bengal, to officiate as Deputy Auditor and Accountant General, Bengal.

No. 255 A.

The 12th January 1865.

Mr. H. D. Sandeman received charge of the above Office from Mr. J. L. Lushington on the afternoon of the 9th instant.

No. 260.

Mr. H. A. Mangles to be Civil Pay Master, Bombay, and Mr. W. Waterfield, Civil Pay Master, North-Western Provinces, with effect from the 26th November 1864.

E. H. LUSHINGTON,

Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Fort William, the 7th January 1865.

No. 26 of 1865.—The under-mentioned Officers are admitted to the Bengal Staff Corps with effect from the dates specified opposite to their respective names, subject to the confirmation of the Right Hon'ble the Secretary of State for India:—

Captain William Robert Gordon, of the late 68th Regiment Native Infantry, District Superintendent of Police, 1st Grade, Darjeeling.

29th April 1862.

Lieutenant Montague Charles
Perreau, of the late 47th
Regiment Native Infantry,
Assistant Examiner of Commissariat and Stud Accounts.

4th March 1862.

No. 27 of 1865.—The under-mentioned Officer is permitted to proceed to Europe on leave of absence on sick certificate:—

Surgeon William Boyne Butt, For 20 months, of the Medical Department. For 20 months, under the new Regulations.

The 9th January 1865.

No. 28 of 1865.—Lieutenant Colonel Samuel Richard Tickell, of the Bengal Staff Corps, is permitted to retire from the service on the pension of a Colonel from the 15th instant.

No. 29 of 1865.—Captain Arthur Crawford, of the late 9th Regiment Native Infantry, is permitted to retire from the service on the pension of his rank from the 19th instant.

No. 30 of 1865.—Lieutenant Colonel Archibald Impey, of the Royal Engineers, Chief Engineer and Secretary to the Chief Commissioner, Public Works Department, Central Provinces (since retired), was permitted to proceed to Europe on furlough on private affairs for three years, under the old rules, with effect from the 29th March 1864, the date of his departure from Bombay.

No. 31 of 1865.—Major G. A. Williams, of the Bengal Staff Corps, District Superintendent of Police, Punjab, who was, in Government General Order No. 853 of 1864, appointed to officiate as 2nd in Command and Wing Officer, 4th Punjab Infantry, is, at his own request, permitted to resign his appointment under the Punjab Government, and is placed at the disposal of His Excellency the Commander-in-Chief.

No. 32 of 1865.—His Excellency the Governor General in Council is pleased to make the following appointments:—

Punjab Irregular Force, 4th Cavalry.

Cornet T. Shepherd, 20th Hussars, 3rd Squadron Officer, to be Adjutant, in room of Captain A. H. Prinsep, who vacates that appointment on promotion.

Captain A. H. Prinsep, to be 3rd Squadron Officer, vice Cornet Shepherd.

No. 33 of 1865.—Surgeon James Alexander Caldwell Hutchinson, M. D., of the Medical Department, is permitted to proceed to the Cape of Good Hope on medical certificate, and to be absent from Bengal on that account for two years under the old Regulations.

No. 34 of 1865.—The under-mentioned Officer is permitted to proceed to Europe on furlough on private affairs:—

Captain Thomas Martin Shelley, of the late 11th Regiment the old Regulations.

No. 35 of 1865.—Captain and Brevet Major M. J. Brander, of the late 40th Native Infantry, Deputy Assistant Commissary General, is allowed leave of absence for two months from such date as he may avail himself of it, to visit the Presidency, preparatory to applying for leave to Europe on medical certificate.

No. 36 of 1865.—Captain J. Bruce, of No. 2 Company, Calcutta Volunteer Rifle Corps, is allowed leave of absence to Europe on private affairs for 12 months, from the 3rd instant.

No. 37 of 1865.—The following order issued by the Government of Fort St. George is confirmed:—

No. 483, dated 20th December 1864.—Granting leave of absence to Europe on medical certificate to Captain A. C. Lilly, of the Madras Staff Corps 2nd in Command, 3rd Infantry Hyderabad Contingent.

For 20 months, embarking at Madras. No. 38 of 1865.—Subadar Syed Moostafa, of the 41st Regiment Madras Native Infantry, is admitted to the 2ndclass of the "Order of British India," with the title of "Bahadoor."

Subadar Major Rungiah, of the 3rd Regiment Madras Light Infantry, is admitted to the 2nd Class of the "Order of British India," with the title of "Bahadoor."

Subadar Veerasawmy, of the 36th Regiment Madras Native Infantry, is promoted from the 2nd to the 1st Class of the "Order of British India," with the title of "Sirdar Bahadoor."

Subadar Major Shaik Muctoom, of the 12th Regiment Madras Native Infantry, is admitted to the 2nd Class of the Order of British India," with the title of "Bahadoor." From the 16th October 1864, in succession to pensioned Subadar Shaik Ibraheem "Bahadoor," deceased.

From the 23rd October 1864, in succession to Pensioned Subadar Major Rungiah "Bahadoor," deceased.

From the 18th
November
1864, in succession to Pensioned Subadar
Major Ameer
Sing, "Sirdar
Bahadoor," deceased.

No. 39 of 1865.—Captain (Brevet Major) A. E. Osborn, of the late 45th Native Infantry, is allowed an extension of leave from the 30th November to the 27th December 1864, the date on which he returned to Bengal from sick leave to the Cape of Good Hope.

No. 40 of 1865.—The under-mentioned Officer is permitted to proceed to Europe on leave of absence on sick certificate:—

Lieutenant Colonel William
Taylor Money, of the 31ts Regiment Madras Light Infantry.

For 2 years, under the old Regulations.

The 10th January 1865.

No. 41 of 1865.—The services of Lieutenant P. H. M. Wynter, of the late 32pd Regiment Native Infantry, are placed at the disposal of the Government of Bengal.

The 11th January 1865.

No. 42 of 1865.—With reference to the Notification issued by the Government of Bengal, dated the 5th instant, the services of Surgeon Major J. Sutherland, Civil Surgeon of Patna, are, at his own request, placed at the disposal of His Excellency the Commander-in-Chief.

No. 43 of 1865.—The under-mentioned Officer is permitted to proceed to Europe on leave of absence on sick certificate:—

Lieutenant Alfred Brook Fox, of the Veteran Establishment, Deputy Assistant Commissary, of the Army Commissariat Department,

For 20 months, under the new Regulations.

No. 44 of 1865.—The following Notification issued by the Financial Department, No. 79, dated 5th instant, is republished in General Orders:—

No. 79.

Fort William, the 5th January 1865.

Notification.—The following Despatch from the Right Hon'ble the Secretary of State for India, No. 282, dated 30th November 1864, is published for general information and guidance.

The revised Code of Civil Absentee Rules will be corrected according to the directions in the Despatch.

FINANCIAL.

INDIA OFFICE,

No. 282.

London, 30th November 1864.

To His Excellency the Right Hon'ble the Governor General of India in Conneil.

Sir,—I have to acquaint you that it has recently been resolved that Officers of the Indian Civil and Military Services, in this country, on leave of absence, and requiring extensions of leave, instead of being examined by the examining Physician, as heretofore, shall appear before a Medical Board, of which Sir R. Martin, C. B., is President.

2. In accordance with this arrangement, I have to request that the last Clause of the Appendix to the revised Code of Civil Absentee Rules forwarded with my Financial Despatch dated the 7th instant, No. 262, may be altered as follows:—

"If the applicant for an extension of leave on medical certificate be residing within 20 miles of London, he must produce a certificate from the Medical Board attached to the India Office, showing the necessity for such extension. If residing beyond that distance from London, certificates in the second of the above forms must be produced from two Medical Practitioners."

I have, &c., (Signed) C. Wood.

No. 45 of 1865.—The under-mentioned Officer is permitted to proceed to Europe on furlough on private affairs:—

Captain (Brevet Major) Robert
Alexander Napper, of the
late 55th Regiment Native
Infantry.

For 3 years,
under the old
Regulations.

The 12th January 1865.

No. 46 of 1865.—The under-mentioned Officers are permitted to proceed to Europe on leave of absence on sick certificate:—

Captain (Brevet Major)
Shakespear Sage, of the late 30th Regiment Native Infantry, 2nd in Command and Wing Officer, 37th (the Meerut) Regiment Native Infantry.

Captain Alexander Gordon
Duff, of the 36th Regiment
Madras Native Infantry,
Officiating Deputy Commissioner, Ramree.

For 2 years, under the old Regulations.

For 20 months, under the new Regulations. Lieutenant Fendall Currie, of the late 1st European Light Cavalry, Assistant Commissioner, Roy Bareilly.

For 20 months, under the new Regulations.

No. 47 of 1865.—The under-mentioned Officers have reported their return from England :-

Date of arrival at Fort William.

(Brevet Major) W. 26th December Îrwin, late 49th Native In-1864. fantry.

Lieutenant Colonel A. A. Macdonell, Bengal Infantry, First Class Assistant, Stud Department.

Second Captain J. P. Basevi, Royal Engineers, First Assistant, Great Trigonometrical Survey of India.

5 t h January 1865.

Date of arrival at Bombay.

Lieutenant D. T. H. Sampson, 26th December Bengal Staff Corps, Adjutant, 1864. 9th Bengal Cavalry.

No. 48 of 1865.—His Excellency the Governor General in Council is pleased to attach Captain T. F. C. Rochfort, late 4th European Light Cavalry, and late Officiating Adjutant of His Excellency's Body Guard, to the Stud Department, for general duty, under the Superintendent of Studs, until further orders.

No. 49 of 1865.—Ensign E. A. Raikes, of Her Majesty's 107th Foot, Assistant Commissioner, Punjab, admitted to the Bengal Staff Corps in Government General Order No. 1049 of the 20th December 1864, will rank as Lieutenant in that Corps under the operation of paragraph 84 of Government General Order No. 332 of 1861, with effect from the 4th March 1864, subject to Her Majesty's approval.

No. 50 of 1865 .- With reference to Government General Order No. 1004 of the 9th instant, the services of Surgeon W. B. Beatson, M. D., are placed at the disposal of the Government of Bengal.

No. 51 of 1865 .- The under-mentioned Officer is admitted to the Bengal Staff Corps, with effect from the date specified opposite to his name, subject to the confirmation of the Right Hon'ble the Secretary of State for India :-

Lieutenant Edward G. Lillings-ton, of Her Majesty's 71st Foot, Assistant Commissioner of Lo-ber 1863. hardugga.

The 13th January 1865.

No. 52 of 1865 .- In modification of paragraph 6 of Government General Order No. 633 of 1854, the allowance for the maintenance of children, wards of the Lower Orphan School, who are being educated in the Lawrence Asylum, will, from the 1st of May next, be drawn by the Principal of that Institution monthly on Bills which are to be sent to the Pay Master of the Circle for payment.

From the 1st May next, all charges on account of the Lower Orphan School will be drawn on monthly Bills, instead of being included in an annual account current, as heretofore, under the provisions of the Government General Order No. 127 of 1825.

No. 53 of 1865.—Second Class Sub-Assistant Surgeon Neelmadhub Mookerjee, attached to the Charitable Dispensary at Hooghly, having been pronounced qualified for advancement, is, under the rules passed by Government in the Home Department, dated 6th January 1849, promoted to the 1st Class, with effect from the 4th instant.

No. 54 of 1865 .- His Excellency the Governor General in Council is pleased to make the following appointments :-

Major H. E. Jerome, v. c., of Her Majesty's 19th Foot, Officiating Brigade Major, to be a Brigade Major on the Establishment, in succession to Major G. Ward, resigned.

Captain H. Fellowes, Bengal Staff Corps, 2nd in Command and Wing Officer 15th (the Loodianah) Regiment Native Infantry, to be a Brigade Major on the Establishment, in succession to Captain J. B. Saunders, proceeding to Europe on leave under the old rules.

No. 55 of 1865.—The services of Captain W. R. Tucker, of the Royal Engineers, are placed at the disposal of the Public Works Department.

No. 56 of 1865.—The under-mentioned Officer is permitted to proceed to Europe on leave of absence on sick certificate :-

2nd Captain (Brevet Major) Frederick Sleigh Roberts, For 20 months, under the new v. c., of the Royal Artillery, Regulations. Assistant Quarter Master General.

No. 57 of 1865 .- The under-mentioned Officer has reported his return from England :-

Date of arrival at Fort William.

Second Captain W. H. Burton,) of the Royal Engineers 6th Jany. 1865. (Madras).

No. 58 of 1865 .- The following Military Letter from the Right Hon'ble the Secretary of State for India, No. 377, dated the 25th November 1864, and the Abstract of Rulings therein referred to, are published for general information :-

The principle of the Rules will apply to Officers of the Indian Army holding qualifying appointments as well as to Officers of the Staff Corps similarly situated and whose promotion to the rank of Colonel is not provided for under paragraph 2 of the Staff Corps Warrant.

INDIA OFFICE, MILITARY. No. 377. London, 25th November 1864.

To His Excellency the Right Hon'ble the Governor General of India in Council.

SIR,-The Secretary of State for War has recently determined on a revision of the computations of qualifying service upon which Officers of Her Majesty's Service have obtained promotion to the rank of Colonel under the Royal Warrant of 1858.

2. An Abstract of the Rulings of the Secretary of State for War, in interpretation of the Warrant, which have governed the revisions in the cases of British Officers is herewith transmitted, in order that a similar course may be adopted in reference to Officers of Her Majesty's Indian Forces under the Warrant applicable to them.

I have, &c.,

(Sd.) C. Wood.

Qualifying Service required of a Lieutenant Colonel previous to his obtaining the rank of Colonel in the Army under the provisions of the Royal Warrant of 14th October 1858.

> Horse Guards, 8th September 1864.

Lieutenant Colonels after serving five years in the following appointments will be promoted to the rank of Colonel.

1. Regimental Lieutenant Colonel. Command of a Regiment, Second Lieutenant Colonel of a Regiment.

- 2. Major and Lieutenant Colonel, Household Cavalry.
 - 3. Major, Household Cavalry.
 - 4. Mounted Officer, Foot Guards.
 - 5. Deputy Adjutant General.
 - 6. Deputy Quarter Master General.
 - 7. Assistant Adjutant General.
 - 8. Assistant Quarter Master General.
- 9. Military Secretary (or Assistant Military Secretary when there shall be no Military Secretary) to such General Officers alone as are exercising the Supreme Command on a Station.
- 10. Commissioner to the Head Quarters of an allied Army.
- 11. Members of the Council of Military Education.
 - 12. Inspector General of Army Schools.
- 13. Lieutenant Governor or Superintendent of Studies at the Royal Military College.
 - 14. Commandant of the Staff College.
- 15. Military Superintendent of a manufacturing Department of the Army.
- 16. Regimental Majors who are Brevet Lieutenant Colonels in temporary Command of Regiments in the absence of the Lieutenant Colonel shall reckon any periods of temporary command which exceed one calendar month.
- 17. Captain or Major with rank of Brevet Lieutenant Colonel in Command of a mixed force amounting to 400 men for a period exceeding one calendar month at a time, unless the Officer in temporary command shall be in receipt of the pay of the command owing to the death or removal of the Commandant, when the period (short of one calendar month) for which he receives the pay will be admitted as service of a qualifying nature under Clause 11.

- 18. Regimental Major who is a Brevet Lieutenant Colonel in command of a Wing of a Regiment serving abroad which may be so divided as to constitute two distinct commands.
- 19. Deputy Inspector of Fortifications.
- Assistant Inspectors of Volunteers if substantive Field Officers.

Lieutenant Colonels after serving eight years in the following appointments will be promoted to the rank of Colonel:—

- 1. Equerry to Sovereign.
- 2. With the rank of Lieutenant Colonel obtained for service in the Field.
- 3. In a Civil appointment, provided the nature of such be considered calculated to give the Officer such practical experience as may afterwards prove advantageous to the service to which he belongs.
- 4. Appointment as Commanding Royal Engineers.

Assistant Instructors of Volunteers, if Captain, with Brevet rank of Lieutenant Colonel obtained for service in the Field.

Notes on foregoing.

All periods of leave of absence granted to an Officer will be considered as part of his service.

The only service which a Captain who is a Brevet Lieutenant Colonel can reckon towards promotion after 5 years is named on page 3, No. 17.

Officers appointed to Staff situations at home (not commissioned) will reckon service from date of taking up the Staff duties, and Officers selected for similar appointments abroad will reckon service from date of embarkation to the station until date of disembarkation when returning home. Officers acting in staff appointments which qualify for the rank of Colonel are not permitted to reckon such service unless confirmed in the appointment.

No. 59 of 1865.—The under-mentioned Officers are admitted to the Bengal Staff Corps, with effect from the dates specified opposite to their respective names, subject to the confirmation of the Right Hon'ble the Secretary of State for India:—

Captain Donald Macdonald, of the late 25th Native Infantry, Assistant Surveyor, in charge 2nd Division Lower Provinces.

13th August 1864.

Lieutenant David Clapham Andrew, of the General List, Infantry, Assistant Surveyor, 3rd Division Central Provinces.

18th January 1864.

No. 60 of 1865.—General Order No. 965 of the 1st December 1864, granting leave of absence, on sick certificate, to Europe, for 20 months, to Surgeon W. B. Beatson, M. D., is cancelled.

H. W. NORMAN, Colonel, Secy. to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

ESTABLISHMENT.

No. 7.

Fort William, the 9th January 1865.

NOTIFICATIONS.

Paras. 62 to 66 inclusive of Section LVIII of the Military Regulations, relating to tests for Civil Engineering and Surveying, having been ment No. 518 of 17th of the Government of India in November 1864. the Military Department, it is hereby notified that the only tests in force for the admission of Military Officers into the Engineer Establishment of the Public Works Department are those laid down in Chapter II, paras. 34 to 36 of the Public Works Code. Henceforth the names of all Military Officers who have passed those tests will be notified by the Government of India in the Public Works Department; those who pass the ordinary test will be distinguished in the Army List by the letters C. E. against their names, and those who attain the higher standard at the Thomason College, by the letters T. C.

No. 8.

The 10th January 1865.

Sergeant A. Watson, Assistant Overseer, 3rd Grade, on probation, Hyderabad, is permanently appointed to the Public Works Department as an Overseer of the 2nd Grade.

No. 9.

The 11th January 1865.

The Irrigation Works in the Punjab will henceforth be divided into two Circles of Superintendence.

The Deputy Director of Canals in the Punjab will become the Superintending Engineer of the Western Circle, which will comprise all the districts west of the Sutlej and include the Baree Doab Canal, the Inundation Canals, the Indus Canals, the Rechna Doab Survey.

The Western Jumna Canal will cease to be re-

The Western Jumna Canal will cease to be regarded as an Executive Charge and the Superintendent will become Superintending Engineer of the Eastern Circle, which will comprise all the districts east of the Sutlej, and include the Executive Divisions of the Western Jumna Canal and the Delhi and Goorgaon Works.

No. 10.

Mr. R. D. Hamilton, Assistant Accountant, 2nd Class, with temporary rank of Accountant, 3rd Class, Mysore, has been granted one month's privilege leave with effect from the 2nd December 1864.

No. 11.

The 12th January 1865.

Mr. W. C. Hennessey, Assistant Engineer, 1st Class, North-Western Provinces, passed the examination in Hindoostanee prescribed by G. O. G. G. dated 9th January 1837, on the 29th July 1864.

E. C. S. WILLIAMS, Captain, R. E. Under Secy. to the Govt. of India.

ADVERTISEMENTS.

Latest safe dates for the Overland Mails from Calcutta to Bombay during the year 1865, subject, however, to revision on extension of the Railway lines.

| From Calcutta. | From Bombay.* |
|-------------------------|-------------------|
| 6th January 1865. | 144 T 2005 |
| Oth Sandary 1005. | 14th January 1865 |
| 6th February ", | 29th " " |
| oth rebruary " | 14th February " |
| Slst ", ", 6th March ", | 1st March ,, |
| | 14th ,, ,, |
| 21st ,, ,, | 29th ", " |
| 6th April ,, | 14th April ,, |
| elst " " | 29th ,, ,, |
| 6th May " | 14th May " |
| 6th ,, ,, | 24th ,, ,, |
| 1st June " | 9th June " |
| 16th " | 24th ,, ,, |
| 30th ,, ,, | 9th July " |
| 5th July " | 24th ,, ,, |
| lst ,, ,, | 9th August ,, |
| 5th August ", | 24th ,, ,, |
| 31st ,, ,, | 9th September |
| lst September " | 29th ,, ,, |
| 6th October " | 14th October ,, |
| lst ,, ,, | 29th ,, ,, |
| 6th November ,, | 14th November ,, |
| 1st ,, ,, | 29th |
| 6th December ,, | 14th December |
| list ,, ,, | 29th ,, , ,, |

The Mail Steamers will leave Bombay at 10 A. M., on the dates shown in this list.

CALCUTTA, C. K. Dove,
The 30th Dec. 1864. Post Mr. Genl. of Bengal.

TO TIMBER MERCHANTS AND CONTRACTORS, &c.

Oudh Forest Department.

A sale of Sâl logs (about *100,000 cubic feet) cut in 1862-63, will take place at noon on the 2nd of March 1865, at Ghuttea Ghaut, on the Sarda, and afterwards at Dhunara Ghaut, two miles further down stream, near the towns of Madho Sunda, Sherepore, and Poorunpore, in the Shajehanpore district; upset price 8 annas per cubic foot. The timber will be sold in both large and small quantities. The timber can be floated to Byram Ghaut for 3 annas a cubic foot, or, after land carriage of some twenty miles, can be floated down the Kumhout Nuddee to the Ganges, then to Cawnpore, Allahabad, Benares, &c. Estimated cost from Ghauts to Cawnpore, 4½ annas per cubic foot. Tenders for quantities over 1,000 cubic feet, at 8 annas per cubic foot, for cash payment, will be accepted up to date of sale. Terms of sale can be had on application to the undersigned.

E. S. WOOD, Captain, Offg. Consrvr., Oudh Forests.

Camp, Kyreegurh Forest, viá Poorunpore, Zillah Shajehanpore.

| | | | | - | | | 5 per cent. | 5 ner cent | 1 nor cont. | 31 nor cent. | 11 per cent. | |
|--|-------------------------------|--|---|---------------------------------|-------------------------------|---|-------------|-----------------------|-----------------------------------|--|----------------|--------------------|
| | 4 per cent. of 1824-25. | *per cent. 4 per cent. of of 1824-25. 1828-29. | 4 per cent. 4 per cent. 4 per cent. 6 of of of of 1824-25. 1828-29. 1832-33. 1835-36. | AND DESCRIPTION OF THE PARTY OF | 4 per cent. of 1842-43. | 4 per cent. of 1854.55. | | of 1856-57. | of 1859-60. | of of of of 1859-60. 1853-54. 1856-57. | of 1856-57. | Total Rs. |
| Amount brought forward from | | | | | | *. | | and the second | | | | |
| Statement, dated 24th December 1864. | 53,000 | 300 | 25,87,400 | 22,89,400 | 95,77,700 | 66,54,100 | A 1986 | 4,73,51,400 | 31,79,800 4,73,51,400 2,53,87,400 | 17,600 | | 16,000 9,51,14,100 |
| Annual enfaced at Madras, as per Registers received up to date | | 1 | • | 7" (17 1 : | 7,300 | 8,500 | 27,000 | 53,000 | 1,06,100 | | | 2,01,900 |
| Amount enfaced at Bombay, as per ditto ditto ditto | | 100 mm | . : | | W. W. Conference | | i | 16,000 | : | | | 16,000 |
| Amount enfaced at Calcutta up to date | | | 1 | | * | | 9,100 | 70,000 | 1,29,500 | | | 2,08,600 |
| Total | 53,000 | 300 | 25,87,400 | 22,89,400 | 95,85,000 | 66,62,600 | | 32,15,900 4,74,90,400 | 23,62,300 | 17,600 | | 16,000 9,55,40,600 |
| Amount removed from the London Books, as per Registers received up to date | | 1 | ÷, | | | 1 - 4 - 7 - 7 - 7 - 7 - 7 - 7 - 7 - 7 - 7 | 5,000 | 15,000 | i , | | 1 | 20,000 |
| Total | 53,000 | 300 | 25,87,400 | 22,89,400 | 95,85,000 | 66,62,600 | | 4,74,75,40 | 32,10,900 4,74,75,400 2,36,23,000 | 0 17,600 | | 16,000 9,55,20,600 |

The 11th Jantuary 1865. LOAN OFFICE,

Acett. Genl. to the Govt. of India.

C. K. DOWE,

Memorandum of the dates fixed for the despatch of the Overland and Rangoon and Monlinein, 8c., Mails from Calcutta, and China and Australia Mails from Bombay, during the year 1865.

| 1 | tam, flas- ripa- ore, | , ban | puv | 18th | h of | jo | o. Seth | | do. | | | bus | d | | | | 4 | |
|---|---|---|--|--|-------------------------------|--|--|---|------------------------------|--|---|--|---|--|--|---|---|---|
| .83 | Bombay, calling at Binlipatam, Vizagapatam, Coconada, Mas- sulipatam, Madres, Negata- tam, Columbo, Tuticorin, Cochin, Calicut, Caunanore, Mangalore, and Carwar. | Leave Calcutta on the 1st and 15th of each month. | Leave Bimlipatam about 4th and 18th of each month. | Leave Vizagapatam 4th and 18th of each month. | each month. | tLeave Masulipatam 20th each month. | Leave Madras 10th & 24th do. Do. Niganatam, 11th and 25th | Sth do. | Tuticorin, 15th and 29th do. | Calicut, 17th and 1st do. Cananore, 18th and 2nd. | Mangalore, 19th and 3rd. Carwar, 19th and 3rd. | Arrive Bombay 21st and 5th. Leave Bombay on the 1st and | h of each month. Carwar, about 3rd & 17th. | Cannanore, 4th & 19th. Calicut, 5th & 19th. Cochin 6th & 90th. | & 21st. | Nigapatam, 12th & 26th. Madras, 15th & 29th. | Mussuhpatam, 30th. Coconada, 17th & 1st. Vizagapatam, 18th & 2nd. | Do. Bimlipatam, 18th & 2nd. Arrive Calcutta, 21st & 5th. |
| CALCUTTA AND BURNAH STEAM NAVIGATION COMPANY'S CONTRACT STEAMERS. | ombay, calling at Binlii Vizagapatan, Coconada, sulipatan, Madras, Tut tan, Columbo, Tut Cochin, Calicut, Caun Mangalore, and Carwar. | seave Calcutta on table 15th of each month. | leave Bimlipatam about 18th of each month. | zagapatar month. | conada 5 | Masulipat onth. | adras 10th | of each mouth. fLeave Columbo 28th do. | corin, 15t | ut, 17th a | Mangalore, 19th and 3rd. Carwar, 19th and 3rd. | ombay 21 | 15th of each month. | Mangalore, 4th & 19 Cannanore, 5th & 19 Calicut, 5th & 19th. | Tuticorin, 7th & 21st. Columbo, 23rd. | Nigapatam, 12th & 2 Madras, 15th & 29th. | Do. Coconada, 17th & 1st. Do. Vizagapatam, 18th & 8 | hpatam, 1 alcutta, 2 |
| NTEACT | Bombay, Vizagal sulipata tam, Cochin, Mangal | Leave Ca | Leave Bi | Leave Vizagapata of each month. | Leave Cocons each month. | tLeave Mass | Leave Ma | of each | Do. Coch | Do. Calie Do. Cans | Do. Carr | Arrive Bo | Do. Cary | Do. Cali | | Do, Nigs Do. Mad | Do. Cocc Do. Viza | Do, Bim Arrive C |
| O SANK | Penang, ore line. | 7th of | 12, do. | 14, do. | 19, do. | | 21, do. | e about | 26. do. | 27. do. | 29. do. | 3, do. | 5, do. | 10th of | | | | A等。以 行動 分別 分別 |
| ON COME | ulmein, d Singap | ts on the | n about 1 | | | | 2 | ingapore | | at | | u | | nita on | | | | |
| M NAVIGATE | Rangcon, Moulmein, Penang, Malacca, and Singapore line. | Leave Calcutta on the 7th of each month. | Do. Rangoon about 12, | Do. Moulmein | Do. Penang | | Do. Malacca | Arrive at Singapore about 22, do. | Leave Singapore. | Do. Malacca about | Do. Penang | | | Arrive Calcutta on each month. | i. | | | |
| AH STEA | and the same and and the same of the same | ta on 16th of | | | | | Montmoin | - | Moulmein | jo | | - | and the special lives | | | | | |
| D BURN | Akyab, Rangoon, and Moulmein Line. | Leave Calcutta on the 1st and 16th of | each month. | Akyab, about 3rd and 19th of each month. | Rangoon, about 9th | and 25th of each month. | | | | 12th and 28th of each month. | Rangoon, 14th and | 30th of each month. | Akyab, 17th and 3rd of each month. | Arrive Calcutta 19th and 5th of each | | | | |
| UTTA AN | | - | management | A | | | < | | - | | - | 30t | Aky | Arrive | | | | |
| CALC | Chittagong and Akyab Line. | Leave Calcutta on | of each month. | Chittagong about 8th and 24th. | Arrive Akyab 9th and 25th. | shout 10th and | of each | one. 12th | and 28th of each | Arrive Calcutta | 14th and 30th. | | 1 | | | | | |
| | | - | of eac | Chittag 8th au | Arrive Ak | Leave | 26th month. | Chittenang. | and 28t | Arriva | 14th | | | | | | | |
| ates of depar- | of the of the ss Mau- Imperi- Overland Ins. | ury 1865 | lary " | ų ų | F | ŗ | | 2 | st " | mber " | er " | mber " | mper " | | | | | |
| Dates of | ture fron cutta o Services ritius geries ales O French Steamers. | 3rd January | 3rd February | 3rd March | 3rd April | 3rd May | 3rd June | 3rd July | 3rd August | 3rd September | 3rd October | 3rd November | 3rd December | | | | | |
| | Mid-monthly. | 30th | 2nd March | 30th | 30th « | 30th | 30th | 30th | 30th | 30th | 30th | 30th | 30th | 4 | | | | |
| | Monthly. | 14th 3 | 15th | 15th 3 | 15th 3 | 15th 3 | 15th 3 | 15th 3 | 15th 3 | 15th 3 | 15th 3 | 15th 8 | 15th 8 | | | | | a ya |
| Jonar- | Bom- ie P. & pany's y with China stralia, | 9987 | : : | : " | : " | ; | : | :: 2 | : | i. | " | r., | | | | | | |
| Dafes of densi- | ture from Bom- bay of the P. & O. Company's Steamers with Mails to China and Australia, during the year 1865. | January 1865 | February | March | April | May | June | July | August | September, | October " | November, | December " | | | | | *** |
| | Mid-monthly. | | 1st March | | | | | | | | | | | | | | | |
| | Aldinom-6:W | 1 29th | | 29th | 1 29th | 24th | 24th | h 24th | h 24th | h 29th | h 29th | h 29th | h 29th | | | - 10 - 10 H | ** | ed r gerken |
| | Monthly. | 14th | 14th | 14th | , 14th | . 14th | . 9th | 9th | 9th | 9th | 14th | . 14th | 14th | | | | | |
| 3 | tare from Born- bay of the P. & O. Company's Steamers with the Overland Mails to Suez during the year 1865. | 1865 | i P | 1 | | | | • | 4 | | | ber, . | | | | | | |
| D. 1 | ture fro bay of to 0. Con Steame the 0 Mails during 1865. | January 1865 | February | March | April | May | June | July | August | September,, | October | November, | December | and the second | | | | |
| | Mid-monthly. | 23rd | 23rd | 23rd | 23rd | 23rd | 23rd | 23rd | 23rd | 23rd | 23rd | 23rd | 23rd | | - 1 | | - 11 | |
| | Monthly | 9th | 9th | 9th | 9th | 9th | 9th | 9th | 9th | 9th | 9th | 9th | . 9th | | | 1 | 3 | |
| | tres of department from Cal- cutta of the P. & O. Compa- ny's Steamers during the year 1865. | 865 | | | | | | | i | er., | : | er | ег " " | | | | | |
| | Dates of departure from Calcutte from Calcutta of the P. & O. Company's Steamers ny's Steamers 1865. | Januare 1865 | Pehrnary | March | April | Мах | Inne | July | August | September | October | November | December " | | | | | |

* When the date of departure falls on a Smuthy according to the above Table, the Steamers will leave on the Monday following.

† The Mail Steamers will leave Bombay on the above dates at 10 A. M.

‡ The Steamer of 1st does not call regularly at Mussulipatam and Columbo, but that of 15th calls at all the ports as shown in the above Table.

CIRCULAR No. 66.

Copy-forwarded for the information and guidance of all Postal Officers.

Lourita, }

Calcutta,
The 30th December 1864.

POSTAL NOTICE.

The Public are informed that Letters, Newspapers, and Books can now be received for transmission to Batavia, the Seychelles, Reunion, and Mauritius by the French Mail Packets (Messageries Imperiales). The Table of Postage rates attached to the Postal Notice of the 7th December 1863 is herewith republished; Batavia, the Seychelles, Reunion, and Mauritius being added to the list of places to which Mails can be forwarded by the above-mentioned line of Steamers.

Rates of Postage chargeable in India on Letters, Newspapers and Books transmitted by the French Mail Packets from the Indian Ports served by them (Calcutta, Madras, Singapore, and Aden) to any of the under-mentioned places:—

| | | | LET | TERS. | | | | News | PAPERS. | | Books, &c. | |
|-----------------|--------|--------------------|---------|------------------------------|--------------------------------|--|------|----------------------|---|----------------------|---|--|
| | Pre-p | aymen pect of | t optio | nal ex | cept in | res- | Pre | payme | nt compul- | Pre-pa | yment comp | ulsory. |
| То | Nexcee | ot eding oz. | Exce | eding oz. not eding | For addit oz. fracti an oz the | every ional or on of after | exce | lot eding ozs. | Exceeding 4 ozs. and not exceeding 8 ozs. | Not exceeding 4 ozs. | Exceeding 4 ozs. and not exceeding 8 ozs. (½ lb.) | For every additional 8 ozs. († lb. up to the limit of 3 lbs. |
| | Rs. | A. P. | Rs. | A. P | Rs. | A. P. | Rs. | A.P. | Rs. A. P | Rs. A.F | . Rs. A. P. | Rs. A.P |
| Calcutta |) | | | | | | | 11 | | | | |
| Madras | | | | | | | | | | | | |
| Singapore | | | | | | | 4 | | | | | |
| Aden | | | | 11 | | | | | | | | |
| *Point de Galle | | | | 11 | | | | | | | | |
| *Hong Kong | | | | | | | | | | The state | | |
| *Mauritius | 1 | 0 4 | 0 | 0 8 | 0 | 0 8 | 0 | 0 0 8 | 8 0 1 | 4 0 2 | 0 0 4 0 | 0 4 |
| *Seychelles | | 1 | | 11 | 1 | | | | | 1-11 | | |
| Pondicherry | | | | 11. | | | | | | | | |
| Saigon | | 11 | | | | | | | | | | |
| Shanghai | 1 | | Angelor | | | | | 11 | | | | |
| Batavia | | | | | | | 1 | | | | | |
| Reunion | J | | | | | | | | | | | |

Note.—In addition to the above rates, Newspapers will be charged with Indian Inland postage (to be pre-paid) if despatched from any but a Presidency Post Office.

The Mails despatched by the French Steamers which leave Calcutta on the 3rd of each month, are timed to reach their destination as follows:—

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      Mødras
      ...
      6th.

      Pondicherry
      ...
      7th.

      Point de Galle
      ...
      10th.

      Singapore
      ...
      20th.

      Saigon
      ...
      23rd.

      Hong-Kong
      ...
      28th.

      Shanghai
      ...
      2nd of next month.

      Aden
      ...
      21st.

      Seychelles
      ...
      30th.

      Mauritius
      ...
      6th of next month.
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CALCUTTA,

The 9th January 1865.

H. B. RIDDELL,

Director General of the Post Office of India.

N. B.—Letters, &c., addressed to the places marked with an asterisk must be prepaid: but the Indian Post Office is not aware if any further charge is made on delivery.



The Gazette of India.

CALCUTTA, SATURDAY, JANUARY 14, 1865.

OFFICIAL PAPERS.

A SUPPLEMENT to the GAZETTE OF INDIA will be published from time to time, containing such Official Papers and information as the Government of India may deem to be of interest to the Public, and such as may usefully be made known.

Non-Subscribers to the Gazette may receive the Supplement separately on a payment of six Rupees per annum if delivered in Calcutta, or nine Rupees four annas if sent by Post.

No Official Orders or Notifications the publication of which in the Gazette of India is required by Law, or which it has been customary to publish in the Calcutta Gazette, will be included in the Supplement. For such Orders and Notifications the body of the Gazette must be looked to.

Government of India.

Abstract of the Proceedings of the Council of the Governor General of India assembled for the purpose of making Laws and Regulations under the provisions of the Act of Parliament 24 and 25 Vic. cap. 67.

The Council met at Government House on Friday, the 6th January 1865.

PRESENT:

His Excellency the Viceroy and Governor General of India, presiding.

Major General the Hon'ble Sir R. Napier, K. C. B.

The Hon'ble H. B. Harington.

The Hon'ble H. Sumner Maine.

The Hon'ble Sir C. E. Trevelyan, K. C. B.

The Hon'ble W. Grey.

The Hon'ble H. L. Anderson.

The Hon'ble Mahárájá Vijayaráma Gajapati, Ráj Bahádur of Vizianagram.

The Hon'ble Rájá Sáhib Dyál Bahádur.

The Hon'ble G. Noble Taylor.

The Hon'ble W. Muir.

The Hon'ble R. N. Cust.

The Hon'ble Mahárájá Dhíraj Mahtab Chand Bahádur, Mahárájá of Burdwan.

The Hon'ble D. Cowie.

REMARRIAGE OF NATIVE CONVERTS' BILL.

The Hon'ble Mr. Maine introduced the Bill to legalize, under certain circumstances, the remarriage of native converts to Christianity, and moved that it be referred to a Select Committee. He said—"In submitting this Bill to the Council, I must repeat the description of its intended character which I gave when I obtained leave to introduce it—that it is intended to be an interposition

of the secular power on purely moral grounds, leaving missionaries and clergymen and ministers of religion generally to remarry Native Converts repudiated by their wives or husban ls for religious reasons, or not to remarry them, or to remarry them under such circumstances as, in their view, may justify remarriage. I have attempted to mark its secular character, first, by the recital in the preamble that it is expedient to relieve ministers of religion from the penalties to which they are now exposed for celebrating such remarriages, and secondly, by the provision in the Bill that no minister of religion shall be compellable to avail himself of the liberty allowed by it. There are moreover, many minor points and small peculiarities of expression in the Bill which are to be accounted for by the intention to stamp its secular

Sir, the persons entitled to relief under the measure are Native Husbands and Native Wives-"Native Husband" being defined to be "a married man domiciled in British India, who shall have completed the age of sixteen years, and shall neither be a Christian nor a Jew," and a Native Wife being correspondingly defined to be "a married woman domiciled in British India, who shall have completed the age of thirteen years, and shall neither be a Christian nor a Jewess." The first point, then, to be noted in regard to the measure is that it applies to Native wives no less than to Native husbands. I freely acknowledge that the same considerations do not apply females as to males, and that the instances will be few in which a Native Christian woman will apply for permission to rejoin her Native husband. such cases may occur; and until it be shown that we are legislating for a contingency which is practically of no moment, I have thought fit to maintain the equality of sexes provisionally in the Bill. Perhaps I shall make my description of the provisions of the Bill clearer if I follow the course adopted in my Statement of Objects and Reasons.

and speak as if the Bill referred only to a Native husband repudiated by his wife, it being remem-bered that the converse proposition will always apply to Native wives deserted or repudiated by

their husbands.

Sir, the grounds of relief are the desertion of or repudiation of the Native husband by his wife when such desertion or repudiation is solely the result of the Native husband's having changed his religion for Christianity. I have followed Sir Barnes Peacock's draft Bill in providing that the voluntary refusal or neglect of the wife to cohabit with the husband after his change of religion has come to her knowledge, shall be sufficient proof of desertion or repudiation, and also shall be sufficient presumptive proof that such desertion or repudiation was the consequence of his change of religion, unless some other cause be shown. I further hold —and that seems to have been also the opinion of Sir Barnes Peacock—that no greater difficulty will attend the proof of the fact of the change of religion for Christianity than attends the establishment of any other fact before a court of justice. It is true that, in European and Protestant Christian societies, where the shades of belief mix insensibly and by imperceptible gradations with one another, it is sometimes hard to say when a person has passed from one form of belief to another. But English courts of justice, and particularly the Court of Chancery, have often to face a similar difficulty. Here in India the difficulty greatly diminished. It must be remembered that these matters have to be regarded from a Native, not from an European point of view: and in India a change of religion is generally not from an European point of view: accompanied by a violent disturbance of manners, usages, and family relations. On the whole the Indian Courts seem to me to have many more difficult questions before them to solve every day than the enquiry whether a Native has bond fide changed his religion for Christianity.

The mode of relief is by suit for conjugal society, commencing as at home, with a petition followed by a citation. The petitioner will appear personally in Court, and so will the respondent in conformity with the terms of the citation. The petitioner will be bound to prove the identity of the parties, their marriage, the fact that they have attained the age which will satisfy the definitions of 'Native Husband' and 'Native Wife,' the desertion or repudiation, that such desertion or repudiation has taken place solely in consequence of the change of religion, and that it has continued for the six months next before the commencement of the suit. The media probandi, in the last instances, will be those provided in Sir Barnes Peacock's Bill. Thereupon the Judge will ask the respondent whether she refuses to cohabit with her husband, and, if so, what is the ground of such refusal. It is to be remarked that the Judge will be a High Court Judge in the Presidency Towns and a Zillah Judge in the Mofussil, and that during the examination, he may exclude from the Court such persons as he shall think fit. If the respondent refuses to rejoin her husband, the case will be adjourned for a month, and arrangements made for a private interview between the husband and wife. I call the interview private, but it has been suggested that in some cases it may be cruel or unseemly to provide for an absolutely private interview, and hence the Judge may regulate or modify the degree of privacy, but no condition is to be imposed which may interfere with the ascertainment of the respondent's free volition. At the expiration of the month the parties will re-appear. If the respondent still persist in her refusal, there will be an adjournment for a twelvemonth, at the expiration of which they will again come into Court, and the petitioner will be under the necessity of proving the continued desertion or repudiation during the year that has expired. A fresh interview will then be arranged for, followed by a new interrogation, and if after all these adjournments, interrogations, and interviews, the respondent conclusive-ly declines to rejoin her husband, then, and not till then, the Court my make a decree empowering the petitioner to remarry.

The time occupied by these proceedings will nessarily be twenty months. But I calculate that, cessarily be twenty months. taking into account the preliminaries and the hearings, the space of time between the first desertion or repudiation and the decree for remarriage will be at least two years. These periods are, however, only inserted in the Bill pro forma, and if the further information we shall receive shows that they ought to be shortened or lengthened, I personally

shall have no objection to change them.

The further points which require notice are mentioned in the Statement of Objects and Reasons. Cruelty or adultery proved against the petitioner will bar the suit. The children of the first marriage retain their personal and proprietary rights, and, if under the age of three years, may remain in their mother's custody until attaining that age. The wife retains the status which she would have had as lawful wife, and forfeits no right to maintenance, dower or inheritance. She is, however, permitted to remarry after the decree allowing the petitioner's remarriage, but if she remarry she forfeits all rights or interests she may have in the petitioner's property. That is substantially the provision of the existing law—the wife after the decree of remarriage has the rights of a Native widow, but if she remarries she forfeits them as under the Hindú Widow's Remarriage Act. It is further to be observed that if the wife has not sufficient property to maintain herself, the Judge may award alimony, and also sufficient funds to enable her to defend the suit, if she be in need of them. A Convert married to several Native wives will have to make them all respondents.

Sir, when I obtained leave to introduce the Bill, I went so fully into the grounds for considering it both justifiable and expedient, that I do not deem it necessary to trouble the Council by travelling again over the same field. I have, however, to say that it is not my intention to ask the Council to pass the Bill in any haste, and shall probably not ask them to pass it during the present sittings. I am aware that many missionaries consider the matter one of extreme urgency, and are anxious that this measure should become law with the least possible delay. But I think that after waiting so long they may reasonably wait longer until full information and criticism have been received, both from the various sections of the Christian Community and from any persons who may speak the opinion of Native and non-Christian Society. It is my firm conviction that the preponderant opinion of the missionaries is strongly in favour of the Bill, and I further am under the impression that in proportion to the success in conversion of any body of missionaries is their anxiety for some such measure as this. As for the Native community, I have seen no sign of any dislike or disrelish for the measure, and, indeed, I imagine them to be entirely indifferent to it. Still I am aware how difficult it is to ascertain these things in India, and I am desirous that the Council shall pass no measure of which it may repent hereafter. But to prevent misconstruction, I must add that, so far as I am personally concerned, if no political difficulties should disclose themselves, and if no general dislike on the part of the Christian world should be proved, it is assuredly my intention to persevere with the Bill."

The Hon'ble Mr. Cust:—"No one can doubt the benevolent motive which has led to the introduction of this Bill, and it must be admitted that it has been introduced in a most fair and liberal manner; I understand that the Bill will be published and circulated for opinion, and no further action before this Council will be taken until replies come, when the principle will be open to discussion. Such being the case, there is no room for opposition at this stage. And I have no amendment to propose, as what I should have proposed is conceded by the Mover of the Bill.

I should be most unwilling to appear as an opponent of any measure in favour of Native Converts, and it would be presumptuous in me to assert, on my own authority, that this measure is opposed to Scripture: but this is the view apparently adopted by the numerous clergy and laymen, who met two years ago at the Punjab Conference, and this is the opinion apparently expressed in a petition signed last week by nearly all the Clergy of the Church of England in Calcutta, the Clergy of Bishop's College, Native Missionaries and Missionaries the husbands of native wives, who have called upon the Government of India to hold back from legislation in the direction of this measure. I am aware that the Church of Rome and many of the Evangelical Clergy, men for whom I have the greatest respect and esteem, have adopted a contrary opinion, whether from unbiassed conviction or motives of expediency I cannot say: anyhow it behoves this Council to pause before it proceeds to legislation.

I am myself opposed to this measure on secular as well as religious grounds. To the conciliation clauses, with some amendments, there may be in principle no objection, though it is doubtful how they can be worked in practice, and how native ladies of respectable family will be induced to appear in Court, and be closeted with Native Converts; but the other clauses of the Bill do nothing less than legalize bigamy among Native Converts, and inflict penalties on innocent parties. I am assured that, in many cases, if the Converts would but have the grace to wait, they might persuade their wives to come round: but when once they have formed new alliances, the door to reconciliation is closed for ever.

I do not wish to say any thing which could possibly appear to be harsh, but it must occur to all that the convictions of a Convert from heathenism to Christianity must be slight, if he requires legislation to secure his morality: that is the real object of the Bill. I do not admit that celibacy and asceticism are unknown in India: these practices had their origin in the East, and are adopted by numerous professors of the Hindú and Buddhist religions. It is with the greatest diffidence that I approach in this Council, even from a historical point of view, the very serious subject of the interpretation of passages of Scripture; but it is forced upon me by the argument adopted by Mr. Maine when he asked leave to introduce this bill. I cannot bring myself to believe that St. Paul, a

native of Cilicia, in Asia Minor, in a letter to his flock at Corinth in Greece, used the word "Lete her depart," in the technical sense of the Roman forum, as tantamount to a divorce. I lean more to those who maintain that he could not have done so without inculcating a rule contrary to the precepts in the Gospel, which makes adultery the sole ground of divorce. These difficult points will no doubt be cleared up by those who are best able to do so, and whose special province it is to do so before the bill comes up in Council again, and I shall be glad if arguments are adduced sufficient to convince me that the measure is not opposed to the real interests of the Convert."

The Hon'ble Mr. Muir:—"Sir, I beg to offer a few remarks in support of this Bill.

I believe that legislation is necessary on the subject, because we have applied the European law of marriage to the Native Christians, absolutely and entirely, without any exception to meet the widely different position in which that community stands.

I am as much opposed to 'class-legislation,' where it can be avoided, as my hon'ble friend who has preceded me. But, Sir, I submit that class-legislation then first took place when we made the provisions of the English marriage law applicable to Native Christians without the necessary modifications. And we are now simply retracing our steps in exempting the Native Christians from penalties and restrictions which ought never to have been imposed upon them.

Relief is needed by no other portion of the community. When we look to the Hindoos we find that, if a person changes his religion, he is held to be civilly dead, and so far as any penalties of the secular law go, he is free to consider his previous marriage dissolved, and to contract a new one.

So also with Mahometans. In countries under Mahometan rule, if an idolater or an infidel becomes a Mahometan, he is thereby released from all the domestic obligations under which he lay to the members of his family who do not join Islam, and is free to contract a new marriage. Take the converse case of a Mahometan falling away from his religion;—he becomes ipso facto civilly dead, and his marriage dissolved; or rather, if the strict letter of the law be followed, the marriage is dissolved by a much more summary process, for he becomes liable, not merely to civil death, but to a natural, or rather to a violent, end by the sword of the executioner.

Under our own rule, Sir, excepting of course this latter provision for the decapitation of the apostate, the freest liberty is given both to the Hindoo and to the Mahometan in the exercise of their laws and usages. In case of change of religion, they are free to act upon the dogma of consequent civil death, and so far as any interposition or penalty of the secular law is concerned, to remarry at pleasure. Or rather they have perfect liberty both of divorce and remarriage, whether there be change of religion or not.

This, then, Sir, is a sufficient reply to those who say (for this has been said by some) that we are providing an immunity or special license for the Native Christians. This is not the case. Even after the relief sought for by this Bill has been granted, the Native Christians will be bound by restrictions immeasureably severer than those of any other Native community; for they will be required to do all in their power to maintain

the previous marriage. Equally unfair is the allegation that the Bill is a measure for enabling the Native Christian to rid himself of his previous obligations. Exactly the reverse of this is the truth. If the Bill, indeed, had been designated one to enable the other party, the one that does not embrace Christianity, to rid itself of its obligations, the assertion might have had some colour of truth. As regards the Native Christian, the measure might more properly be designated one enabling and requiring him to maintain his previous obligations: for it expects and requires of him that he shall take every step in his power to ratify and confirm his previous marriage; and not until every effort has been used in vain, and the marriage is seen to be hopelessly disowned and repudiated by the opposite party, is it superseded, and permission to remarry conceded.

We have rightly made the Christian law of monogamy, with its inexorable limitations, its penalties of bigamy, applicable to the Native Christian, because, by his change of religion, he has signified that to be the system under which he wishes to live. But, Sir, in doing this, we are bound to allow the freest scope for all marriages not opposed to morality and the interests of society, or to the recognized principles of the Christian religion. We are bound, by every consideration of fairness and equity, to relax the letter of the law where it imposes penalties contrary to its spirit, and arising out of circumstances never contemplated by the law.

Holding, then, that legislation on the subject is justifiable, I will now state my views as to whether the provisions of the Bill are sufficient and

reasonable.

I hold, Sir, that the relief which it grants is not sufficient, because it makes no provison for an inexpensive and easy mode of procuring divorce in case of adultery. Legislation is urgently required for this purpose; and I learn from my hon'ble friend, the introducer of this Bill, that he intends, at the earliest possible date, to bring forward a measure to secure this object.

As regards repudiation and desertion for change of religion, I believe the provisions of the Bill, with one or two exceptions which I will state hereafter, to be satisfactory and sufficient. If we view marriage as a civil contract, I do not see how we can refuse our assent to these provisions. The laws of various countries hold wilful and persistent desertion, or as it is termed by the Scotch law, non-adherence, to be a ground for divorce. And in other countries, a change of religion is taken as a sufficient cause. Burge, one of the first authorities on the subject, thus states the law of divorce in Prussia :

"In so far as difference of religious faith is from the beginning, an obstacle to marriage" (and this is precisely the case we have to deal with under the present Bill) "in like manner will change of religion by one of the spouses during the marriage give legal ground to the other to sue for a divorce.

But here, Sir, we have not simple desertion, nor simple change of religion, but desertion and repudiation, combined with, and aggravated by, the dogma of civil death in consequence of the change of religion, and, so far as we may regard marriage to be a civil contract, I know of nothing in the abstract principles of law or ethics opposed to the provisions of the Bill.

But I prefer, Sir, to discuss this question on the basis of marriage as a union contracted under reli-

gious obligations.

It has been held, indeed, by some that "heathen or infidel marriage" is different in kind from Christian marriage, and is not fenced about with the same indissolubility. I apprehend that this is the ground on which the Bill has been supported by I apprehend that this is the members of the Romish Church, which holds that Christian marriage is absolutely indissoluble. The position might also be regarded as receiving some countenance from a passage in one of Lord Brougham's judgments, where he says :-

"It is important to observe that we regard it (Christian marriage) as a wholly different thing, a different status from Turkish or other marriages among infidel nations.

But it is clear that, in saying this, he only meant that such marriages could not be dealt with by our Courts upon the same principles as Christian marriages. He expresses no opinion as to how those marriages would be treated if the parties to them came over to Christianity.

"Because" he proceeds, "we clearly never should recognize the plurality of wives, and consequent validity of second marriages, standing the first, which marriages the laws of those countries authorize and validiate. This cannot be put apon any rational ground, excepting our holding the infidel marriage to be something different from the Christian.

But, Sir, I do not think that this argument can be held in support of the Bill; for however much the marriage bond may be weakened among various nations by the license of polygamy and divorce, it still remains the basis and ground-work of society. It does so in every country; it has done so in every Its obligations are anterior to Christianity, and independent of it. And Christianity accordingly maintains the obligations of marriages contracted under the sanction of other systems equally with those of marriages contracted under its own.

Holding this view, if the present Bill appeared to me in any wise to relax the obligations of the marriage bond, I should be the last to support it. If to my apprehension it tended in the least degree to break down any of those securities and safeguards for innocence and integrity, for purity, faithfulness and affection, which the religious obligation of Marriage, including the Christian doctrine of indissolubility, has so happily reared around it, this

Bill should not receive any countenance from me.
But, Sir, it is not so. For when we speak of the
religious obligations of marriage, we mean of
course those obligations defined and limited by the religion itself, that is by the common consent of the Christian community, or by any large section of it. The secular law clearly should not impose any restrictions on marriage not absolutely required either as safeguards to society, or by the recognized principles of the Christian religion.

It is not, Sir, the business of this Council, it would not befit its constitution, to discuss the question upon a theological basis; nor if it were, should I consider myself competent to the task. But it is its duty to enquire what, as a matter of fact, is the received opinion on the subject, of the Christian community at large, or of any considerable portion of the community. For I do not concur with my hon'ble friend who has preceeded me (Mr. Cust) that it is necessary to prove unanimous consent. The opinion even of a respectable and weighty minority would justify the exemption of those who follow it from penalties and disabilities for so doing.

I have taken some pains to ascertain the course of the discussion in this country. I find that it arose so far back as thirty years ago. In 1834 a paper appeared in the Calcutta *Christian Observer* entitled "An Essay on Marriage and Divorce," written, I believe, by the Revd. W. Morton. I beg permission of the Council to read an extract the state of the council to read an extract the state of the council to read an extract the state of the council to read an extract the state of the council to read an extract the state of the council to read an extract the state of the council to read an extract the state of the council to read an extract the state of the council to read an extract the state of the council to read an extract the state of the council to read an extract the state of the council to read an extract the state of the council to read an extract the state of the council to read an extract the council to read an e from that paper, and I do so because it formed the basis of the resolutions arrived at by the Missionary body in the following year, and to which I will presently refer :-

"The apostle's rule plainly appears to be this—that the Christian party is only absolved from the obligations of the matrimonial contract by the act of the unbelieving party; if not so absolved, then, of course, both the Christian and Civil Law hold the marriage good and binding; if otherwise, then 'a brother and sister is not under bondage in such a case; i. e. in case where the other, the heathen party resolves upon a separation, and actually does separate from the Christian husband or wife. The apostle's words are—'If the unbelieving depart, let him depart.' The original is, 'if he voluntarily or by his own act be separated or put asunder, let him be so separated or put asunder,' and clearly supposes an entire divorce of person, interests, and affection."

"Where the Civil Law does not decide, there the Church should enjoin the necessary caution and delay

"Where the Civil Law does not decide, there the Church should enjoin the necessary caution and delay upon its members nor permit a second marriage still at least the continued avowal of the absenting person and other circumstances establish the determined intention not to reunite with the Christian partner. Then, I think the apostle's words go to absolve the latter from all further obligation. In this country especially, where passions are strong, as to afford due time for the return of the heathen separatist."

In 1835, the subject was fully and anxiously dis-cussed by a conference of all the Protestant Missionaries at Calcutta; and they unanimously came to conclusions which they embodied in a series of resolutions, the third of which I beg permission to read to the Council:—

"III—Married persons, both Christians, should not be divorced for any other cause than adultery. But if one of the parties be an unbeliever, and though not an adulterer, wilfully depart from and desert the other, a divorce may properly be sued for.

"We are of opinion, however, that such liberty is allowable only in extreme cases, and when all known means of reconciliation, after a trial of not less than one year, have failed."

The resolutions were widely circulated, and, I think, called forth at the time only one dissentient voice from Madras. The unanimity with which they were received by the clerical body may be gathered from a subsequent paper which I quote from th same periodical.

"These resolutions have since been before four general "These resolutions have since been before four general meetings, and with a few alterations, chiefly verbal, have been unanimously adopted by all who were present, embracing Missionaries of the Churches of England and Scotland, the Baptist, London, and American Presbyterian Societies. The Serampore Missionaries, too, approved generally of the propositions, and had for many years adopted them in their own practice."

In 1860, the parent Committee of the Church Missionary Society, who writing from London, and that at a distance from local ir fluences, might, perhaps, be supposed likely to form a sounder judgment, thus stated their opinion on Sir Charles Jackson's Bill in a communication which is in the hands of hon'ble Members:—

"We have submitted this measure to our legal advisers, who concur in the expediency of legislative enactment on the subject, and we beg of you to lay the following suggestions in the proper manner before the Legislative Council."

The suggestion were merely matters of detail, the measure being in substance and general prin-· ciple very much like the present Bill.

But it may be asked, why lay so much stress on the opinions of the Missionary body? I reply because they, from their relation to the Native Christians, have naturally turned their attention more than any other class to the subject, and investigated its bearing, both social and scriptural. And I must add that their statements appear to me an honest expression of the views of the majority of those who are the recognized exponents of the doctrine of the Protestant Churches.

We are not, however, dependent in clerical opinion in respect of the propriety and reasonable-ness of the measure. In 1853 Sir Barnes Peacock, after quoting the views of the Missionaries as above explained, wrote thus :-

"The alteration proposed to be made in the law is to enable the convert, if deserted and repudiated, to summon the unconverted party before a Court to ascertain whether he repudiates the marriage or not: and if he repudiates it, after allowing him or her a sufficient time for reflection, to authorize a judge to grant a divorce. It appears to me that the proposition is reasonable, and that the convert ought not to be left in a state of suspense for ever, as to the intentions of the other to repudiate the marriage or not."

Sir Charles Jackson, likewise, when introducing his bill in 1859, spoke as follows :-

" And he (Sir Charles Jackson) thought he might add that the great majority of the clergy deemed this (viz., the passage in 1st Corinthians) a sufficient authority for the present measure.

He also said :

"Before going farther, he wished to guard himself against any misconstruction. This Bill would not in any way affect either a Muhammadan or Hindú party to the marriage who remained true to their original. According to the principles of the law to which they still adhered, the marriage was dissolved already; and it ought to be, and he believed it was a matter of indifference to them whether the convert did, or did not, marry again. The Bill only proposed to do that for the convert which the Muhammadan and Hindú Law had already done for the other party to the marriage contract." other party to the marriage contract."

I may last refer to the views of Sir James Col-lle. When referred to as Advocate General, by the Right Reverend present Bishop of Calcutta (who is believed to be himself in favour of the principle of the bill), as to his power "to license the remarriage of a Christian Convert, whose partner had refused all further cohabitation on the ground of difference of religion," Sir James Colville wrote :-

"This one case of hardship seems sufficient ground for passing a law, which, in a few sentences, might provide that a native convert (male or female) should, on the solemn refusal of his or her wife or husband to cohabit with him or her, declared competent to contract a second marriage, subject to such provision as may be thought just, and in accordance with Hindú laws and usages with respect to the maintenance of a former wife."

Such, then, is a specimen of the (to my mind) preponderating opinion in favour of the principle

upon which this bill proceeds.

I admit, Sir, that there is high authority on the opposite side; and strong opinions have been expressed, by those who are every way qualified and entitled to express them, that the passage relied on by the other party warrants separation only, and not remarriage. This is the opinion of one, the not remarriage. This is the opinion of one, the Venerable Archdeacon Pratt, whose learning and judgment are admitted upon every side.

But it does not concern the Council to judge between these two parties. It is enough for the purposes of the bill to know that a large section, if not the majority, of the Chirstian community admit the liberty of remarriage as in accordance

with the divine law,— enough to justify the Council in exempting from the penalties of the criminal law those who avail themselves by remarrying of that admission.

It appears to me that the case of remarriage after divorce for adultery, is in every way analogous to the present. It is well known that a considerable party in the Protestant Church, and the whole Romish persuasion, hold that remarriage either of one of the parties or of both, even after such divorce, is contrary to the injunction of Scripture. Yet that has not weighed with the Legislative to make it declare such remarriages illegal. The scruples of one party are not to be imposed by the penalties of the secular law upon others. It is a case, for the conscience of each person. Thus in Prussia, where the persuasions are mixed, Burge thus states the law:—

"It is left entirely to the conscience and religious principles of a divorced spouse to make use of the dissolution of the former marriage to contract a new one,",

And, therefore, even if I myself had held the argument of those who admit the liberty of remarriage in the cases under consideration to be weak and insufficient, I should still have supported the bill, or at least not have objected to its becoming law, on the ground that those who act upon a principle widely recognized as conformable to Christianity, ought not to be subject to disabilities and penalties for so doing.

The provisions of the bill are simply permissive. They grant relief where it is sought, but impose There is themselves upon no man's conscience. no interference with the liberty either of individuals, or of any body, or any section of the Church. No minister of religion is obliged to perform the ceremony of marriage under this bill; and I would extend the same relief to all marriage Registrars, for I would force the conscience of none into acting. a part which he does not approve. Similarly, any Church or any school of theology, which adopts stricter views on the subject and holds itself bound by what it deems a higher and severer standard of morality, is at perfect liberty to impose that standard as a test of its communion, and to enforce its views by any spiritual sanctions at command, upon its own adherents. But those views should not be imposed by the secular arm upon the whole Christian community.

It is not doubted, indeed, that cases may arise, of the nature adverted to by my hon'ble friend Mr. Cust, where a person, even holding to the scriptural liberty of remarriage, might yet find himself (especially where there are children by the first marriage) met by arguments of the strongest expediency, amounting even to a moral obligation, not to avail himself of that liberty. But I submit that this is a case for the conscience of the individual. It is not an obligation to be enforced, as at present, by the pains and penalties of the criminal law for bigamy.

Such, then, are the reasons which induce me to vote for this Bill. Its earlier provisions must, I am sure, to be hailed by all as affording, under the procedure fully detailed by the Hon'ble Mr. Maine, the best opportunities and facilities for reconciliation and reunion;—means which, I doubt not, will often times prove successful. But where every endeavour has been resorted to fruit-lessly, when the opposite party persists, after ample warning and delay, in repudiating the Christian partner, and the union, is thus at an end

in fact as well as theory, the law should, without doubt, grant the liberty of remarriage.

I will now specify one or two points in which

the Bill appears to me defective.

The first refers to the case in which the Hindú or Mahometan partner of a Christian convert. acting on the dogma of the civil death of the latter, may have contracted a fresh marriage. From the Christain point of view, this might he held to be bigamy or adultery, warranting the Christian to sue for divorce on that ground. But it would not be bigamy or adultery from the Native point of view; and as the case arises out of a change of religion, it might consistently be provided for in the present Bill. The Christian convert would not of course, under these circumstances, be expected to sue for conjugal society; but upon proof of the remarriage of the former husband or wife, should, without farther proceedings, obtain a decree with liberty to enter into a fresh marriage. The point can be taken up in Committee, should the suggestion be deemed ground sufficient for the alteration.

The next point is of more serious importance and involves a principle of great moment: I mean that of infant marriage. On this subject, I think the Bill has gone too far, and yet not far enough.

As my hon'ble friend, the introducer of the bill, has explained its provisions to me, it would act in this way. Suppose a boy and girl to have had the marriage ceremonial performed for them in infancy, and the boy to become a Christain: he must wait till his infant bride reaches a marriageable age. He must then claim her as his wife: on her continuing to reject his advances for six months, he must sue under this bill. The girl will be forced into Court, and subjected to all the interrogatories and private interviews already described by Mr. Maine; and at the conclusion of the period and proceedings provided by the law, on her still declining to fulfil the marriage, a decree of separation will be pronounced. Should the convert remarry without having adopted this course, he may be indicted for bigamy under the existing law, and sentenced to seven years' imprisonment with hard labour, and any person performing the ceremony of remarriage will be liable to four years' imprisonment with hard labour and fine in addition.

Sir, I wholly object to any contract or engagement to marry, being enforced by the penalties of the Criminal Law. It may be replied that this is not a mere betrothal or engagement to marry, but an actual marriage. This may be the doctrine of the Hindoos, it can hardly be that of the Mahometans, with whom marriage is a free contract: I admit, however, that it is the doctrine of the Hindoos. But surely, Sir, it is a doctrine which cannot be sustained according to the principles of any enlightened nation, with whom it is held to be of the essence of marriage that it is a contract freely entered into by the parties themselves after reaching years of discretion. The Christain Convert is surely entitled thus to regard the engagement made for him in his infancy. And from this point of view the marriage can be accounted to be nothing more than a formal betrothal.

It is agreed upon all hands that engagement or betrothal of marriage is not a class of contract, the specific performance of which ought to be enforced by the Criminal Law. But here, Sir, is something incomparably worse. For the contract was not made by the parties themselves, but made for them at an age when they were wholly unconscious of the obligation, unconscious of the very nature of the alliance contracted for them.

I do not say that cases may not arise in which (especially among the Hindoos where the unfortunate girl would be held a widow) the betrothed husband should not use all means in his power to carry out the betrothal; but the obligation, whatever it may be, is of a nature to be judged of by the individual himself,-it is not of a character to be enforced by indictment at Criminal Law; otherwise we shall have cases such as the following, described by Sir Herbert Edwards :-

"Would it not be monstrous," he says, "that a Native Christian, who, at eighteen, married a Christian girl of his choice, should be indicted for bigamy, because, when he was two years old and two feet high, his parents betrothed him to another baby of the same age and height? Yet this might happen to-morrow."

object also, in the interest of the girl, to this bill being applied to such cases. A maiden who had never left the female apartments might, as above shown, be summoned into Court, and forced to hold private interviews with a man she may never have seen, and for whom, in consequence of his change of religion, she may have an insuperable aversion,-an indignity alike to her own modesty and to the honour of her whole family.

Thus, forcing her to appear in Court, the Bill goes too far; while, making the release of the other party dependent on her refusal, it does not

go far enough.

For these reasons, if the Bill be referred to a Select Committee, I will urge the adoption of a provision, to the effect that, if the marriage ceremonial shall have been performed between parties when under (say) twelve years of age, but shall not have been followed by cohabitation; and if one of the parties becomes a Christian, such person shall not be required to sue under this Act, but shall be free to marry without reference to the infant marriage.

Such a provision, I admit, has not hitherto been urged. But, Sir, I am persuaded that no enlightened ruler can consistently enforce by penal provisions infant marriages not followed by cohabitation. The tendency of enlightened legislation must be to regard any such ceremonial as on an entirely different footing from mauriage contracted by the free assent of persons who have reached years of discretion; to regard it as a simple betrothal or engagement to marry, and as such, the ground not of Criminal indictment, but only of Civil action against the parties who object to fulfil the contract or against the persons who made the contract for them.

Before concluding, I beg permission of the Council to quote the opinion of one whose words will be listened to with attention and respect equally within these walls and beyond them, one who will not be accused either of narrow bigotry or sectarian bias, and whose labours for the welfare of India are matter of history—Dr. Duff, in an article which appeared in the Calcutta Review,

wrote as follows:

"We have no hesitation in saying that an order or enactment of the nature suggested" (alluding to the Resolutions of the Missionary Conference already explained) "if once formally promulgated, would go far to secure the great practical object, the realization of which, the interests alike of justice and humanity unite in demanding. Sooner or later, the day must come when our Legislators can no longer evade or postpone the determination of the present and other similar questions,-the equitable determination of which, on the great broad principles of Catholic jurisprudence, ought to constitute one of the prime vocations of a Civil Government, and one of the chief ends of its very being." To shrink from "timeously grappling with such subjects is not weakness merely; it is wrong ;-a wrong against those classes of the community whose natural rights and privileges demand the protection of Government, as much as their peaceful demeanour and principles of unshaken loyalty merit a return of gratitude and esteem. For they whose grand maxims of religious and civil polity are, 'Fear God, honour the king,' will ever be found not good Christians merely, but the best of citizens."

These words were written in 1845; and subsequent events have well sustained the eulogium which Dr. Duff then passed on the peaceful demeanour and unswerving loyalty of the community for whom it is proposed to legislate. But, Sir, this is a subject on which I need not enlarge. It is not a favour which the Bill provides for: it is a simple act of justice. The aim of this Bill is to exempt those who adopt the religion of the country which Providence has called to rule over India, from special penalties and disabilities for so doing; to exempt them from the penalty of bigamy, where bigamy was never contemplated by the law, and is proved neither by Reason nor Revelation. And as such I do not see how the Council can refuse to entertain it. At any rate it shall have my warm and hearty support.

Sir, I shall not object to the Bill being postponed for a short time beyond the usual period in Committee, in order that its principles and details may have the fullest discussion—care being taken that it is not indefinitely postponed."

The Hon'ble Mr. Taylor said that but for the observations which had fallen from Mr. Cust, he, Mr. Taylor, would have been content to have given a silent vote in favour of the motion. He did not intend to trouble the Council with any lengthened remarks on the subject. He understood that the question would not be pressed to a division on the present occasion, and that ample time would be given for the most careful enquiry as to what was the general sense of the Christian world in the matter. He would, therefore, merely take the opportunity of stating that the principle of the Bill had his entire and cordial approval, and that he would reserve to a future meeting any observations he might have to make on the various details and provisions of the important measure before them.

The Hon'ble Mr. HARINGTON said he wished the few remarks which he proposed to make to-day on the subject of the Bill before the Council to be regarded, not in the way of answer or otherwise to the arguments which had been advanced in favour of or against the Bill, but, whatever they might be considered worth, as chiefly suggestive. He frankly confessed that the Bill did not approve itself to his judgment. Having said thus much, he felt it to be due to his hon'ble colleague, who had charge of the Bill, that he should state at once that the Bill bore evident marks of the very great care with which it had been suggestive. the very great care with which it had been prepared, and displayed the anxiety felt by his hon'ble colleague to meet the exigencies of the case in the least objectionable manner. Furthermore, assum-

ing the necessity of some measure of relief for the class of persons in whose interests the Bill was introduced, on which point probably little, if any difference of opinion existed, and assuming also that what the Bill proposed was the form in which the desired relief could be most conveniently or suitably granted, he thought it must be admitted that the Bill contained every, or nearly every, proper safeguard or security that could be introduced into it. In this respect, indeed, it appeared to him, on his second hypothesis, that those at whose instance the Bill had been introduced, would have more cause to complain than the opponents of the Bill. His hor/ble collectors. would have more cause to complain than the opponents of the Bill. His hon'ble colleague, speaking with his wonted ability, when he asked for leave to introduce the Bill, had referred to the great length of time that the question of affording relief of some kind to Native Converts to Christianity, whose wives or husbands provinted the converted to the same converted to the same converted to the converted to the same converted to the converted to the same converted to the convert anity, whose wives or husbands persistently refused to live with them by reason of their conversion, had been under the consideration of the Government of India. He believed it might be said with truth that the delay that had taken place in the settlement of this important question was owing, not to any want of sympathy with the classes interested, or to any disinclination on the part of the Government of India to afford them reasonable relief, but solely to the difficulty of determining what form the relief should take, or how it could be most unobjectionably granted. As they had already been told, various remedies had been proposed at different times, but they were regarded either as open to grave objections, or as not likely to lead to any satisfactory results. There had also been former attempts at legislation, but they too had come to nothing. All this served to show the difficulty of the problem which they were required to solve, and he could not help thinking that those who regarded its solution as beyond the province, or at least beyond the reach of legislation, and who were disposed in consequence to leave matters very much as they were, were not altogether wrong. It seemed to him impossible for any one who had made law a study, or who possessed any familiarity with the administration of laws, to read the present Bill without perceiving the great difficulties which surrounded the proposed legislation, and without feeling that in practice the Bill would give rise to numerous and most serious complications which might prove injurious to the cause of Christianity in India and check its advance. He had heard it remarked that the Bill would probably prove nearly, if not entirely, inoperative, and his hon'ble colleague, who was in charge of the Bill, must excuse him for saying that this was perhaps the best thing that could happen. Opposition to the Bill was deprecated on the ground that if it would do no good, it would do no harm. The answer which he would make to such observations was, that he always had objected and always should object to placing laws on the Statue Book which were not likely to accomplish the object of their enactment. He had a great horror of what was called harmless legislation, that was, laws which if they did no good would do no harm. He was indeed somewhat sceptical on the subject of harmless laws, and he was disposed to think that laws which did not fulfil the purpose for which they were passed, were very likely to be perverted to other and to evil purposes. This was frequently the case in this country. Caste feeling, which was so strong and general in India, enabled un crupulous

persons of low caste to play off laws of the nature of the Bill under consideration upon Natives of rank and respectability, and to make them the instruments of annoyance and extortion.

But notwithstanding what he had said, he did not think that it would be expedient or right to stop the Bill at its present stage. The Government of India had pledged itself to action of some kind in the direction of the Bill. That pledge the Government was bound to do its utmost to fulfil, and it could only escape from it, or be relieved from the responsibility which it had incurred in making the pledge, on proof that its proper fulfilment was impossible. He did not think that they were now in a position to say that such was the case, and as a step towards fulfilling the promise which had been given, he should vote for the motion that the Bill be referred to a Select Committee. The reference would be followed by the Publication of the Bill in the several Official Gazettes, and, as the result, they might fairly expect to receive many valuable opinions and practical suggestions, with the aid of which they would be able in due time to re-consider the Bill with advantage, and probably so to mould its provisions, the law, as passed, if it did not come up to the expectations of the promoters of the present Bill, accomplish all that they desired, would still be the means of affording a large measure of substantial relief to a most deserving class of persons in a comparatively unobjectionable form. had no doubt that the Bill, when published in the manner which he had mentioned, would be immediately and most carefully considered by the whole body of Christian minsters of all persuasions and denominations throughout the country, including the Right Reverend the Lord Bishops and the venerable the Archdeacons of the three Presidencies. He was willing to leave the matter in a great measure in their hands, feeling assured that they would come to a right decision. At the same time he would venture to suggest some points which appeared to him to be specially deserving of consideration.

He would ask that it should be considered

whether all that was really necessary, or could properly be allowed, might not be accomplished, first, by permitting the Civil Courts to grant divorces between Native Christian husbands and their wives on the ground of adultery by the latter: secondly, when betrothment in infancy had not been followed by what completed the connubial relation, and the woman having attained an age at which, according to native custom, she should leave her family and go and reside with her husband, refused to do so on the ground of his conversion to Christianity, by permitting the Civil Courts to annul the betrothment, and to set the parties free; and third-ly, by permitting the Civil Courts, on the joint application of the husband and wife, for a dissolution of their marriage on the ground that the conversion of the husband to Christianity prevented the wife, according to the rules of her religion, from any longer cohabiting with him, then and there, or after allowing a reasonable period for reflection, to grant the application. He thought that the mutuality of this latest the mutuality of the control of the co that the mutuality of this last provision, or the consent of both the husband and wife to its enforcement, would relieve it from the charge which it appeared to him might not unjustly be brought against the present Bill, that it was the unoffending party whom it proposed, under certain circumstances, to visit with what might be a severe punishment, or, at least, social degradation. It had been remarked by Mr. Muir that the Bill

· would force the conscience of no man. This might be quite true, but let them look at the alternative to which it exposed the unoffending wife. He used the term "unoffending" in reference to the wife because it was in reality the act of the husband, and not the act of the wife, which prevented her from continuing to cohabit with them, and caused the separation between them. The Native husband knew full well when he married his wife, or took her home, that, if at any time he became a Christian, and she retained her religious faith, a serious obstacle would be created by his conversion in the way of her continuing to live with him as his wife. With a full knowledge of the consequences he changed his religion, and he must abide the consequences. This was what Christianity expected of its followers. As regarded betrothment, he fully admitted that, amongst Hindús, it was as binding as absolute marriage amongst other sects; but he contended that there was a very wide difference between the case of a woman who had never lived with the man to whom she was betrothed in infancy, and who had no knowledge of what the Bill, with a proper regard to decency, called conjugal society, and the case of a woman who had lived with her husband for many years, and had perhaps borne him children. There was no law, at present, which allowed the Civil Courts to decree divorce on the ground of adultery, but a Dispatch had lately been received from the Secretary of State for India, in which he recommended the passing of such a law with respect to Native Christians, and he (Mr. Harington) hoped that no time would be lost in carrying out this recommendation. He did not think that, when a Native wife not only refused to cohabit with her husband by reason of his conversion to Christianity, but allowed the rights of a husband to another man, any principle of justice would be violated by her divorce under a law such as he had mentioned, though it might be true that the husband, by changing his religion, had himself raised up the obstacle which had prevented the wife from continuing to reside with him, and had thus, by his own act, been in some decree the cause of her yielding to a temptation to which, had the husband and wife continued to live to-gether, she might not have been exposed.

The next point which appeared to him to call specially for consideration had already been noticed It was by his hon'ble colleague Mr. Maine. whether this Bill should be made applicable alike to Native husbands and Native wives, or whether its application should not be confined to Native husbands. He held a very decided opinion in favour of the latter course, and he was glad to find that his views were supported by so high an authority as their late lamented colleague Mr. Ritchie, who justly remarked that very different considerations prevailed in the case of wives. He had never heard of a Native husband refusing to cohabit with his wife, or to allow her to live with him solely on the ground that she had become a Convert to Christianity. He believed that he was right in saying that the religion of the Native husband did not require him to separate from his Native wife under such circumstances; and instances of Native husbands having so acted, if they had ever occurred, which he doubted, were probably very rare. According, therefore, to his view, the present Bill, in so far at least as it would apply to Native wives as well as to Native husbands, went beyond the necessity of the case. He must be

allowed to add that there was something very repugnant to the prevailing ideas of what right and becoming in women, to require or allow a young Natve Christian girl, say of the age of thirteen years, who had been betrothed in her infancy, and had perhaps never seen her betrothed husband afterwards, to cite him before a Court of Justice for the purpose of being asked certain questions, and, having been closeted with him, to address him in language such as was used by a royal female of old to one whose chaste conduct on the occasion had passed into a proverb. This was what the Bill provided. He might be told that such a case would never happen. He sincerely hoped it never would, but, if not likely to occur, why, he would ask, should they legislate as if it might happen, or why should they make provision for it. The case of a high-born Native provision for it. girl cited before a Court of Justice at the instance of a man to whom she, in like manner, had been betrothed when a mere child, but whom she might never have seen since, and subjected to the like interrogatories, or to having a similar request made to her either in public or in private, which the Bill also allowed, naturally suggested a doubt whether such a proceeding would tend to promote the cause of Christianity in India, and whether it was not open to the objection already noticed when the Native female might herself appear in the charactor of a suitor for conjugal society.

In addition to the points which he had mentioned, he would ask the Select Committee, to which the Bill would be referred, to consider whether the age at which a Native Christian husband, whose wife refused to live with him by reason of his conversion, might, under the Bill, claim possession of the persons of his children, was not much too He was disposed to doubt whether they should legislate at all in this Bill in respect to the custody of the children of Native Converts to Christianity born previously to their conversion. The circumstances of Native families were so peculiar and so different from the circumstances of English families, that he did not think that in dealing with the question of the custody of children they could act upon English analogies or enforce rules, which, however right and proper in England, might be totally unsuited to native customs and native ideas. He would take the case of a respectable undivided Hindoo family, all the members of which, male and female, lived together as one household. A male member of the family was converted to Christianity and became in consequence an out-caste: he had a son and a daughter, say of the age of thirteen and fourteen, both of whom had been betrothed in their infancy with their father's consent, or by him acting in their behalf, to persons of the same sphere of life and of the same religious persuasion as themselves. Should the father, after his conversion, be allowed to claim the custody of these young people and to compel them to live with him as a Christian, whereby they also might lose caste, he, Mr. Harington, would ask the Council to consider the complications to which this might give rise, and the consequences which might ensue. The Bill provided that if a Native husband who should have remarried returned during the time of such re-marriage to his first love, as men were wont to do, the intercourse would be adulterous; but supposing the Native wife whose husband had remarried, instead of availing herself of the option given to her of re-marrying also (an option which he believed he might safely say would rarely if ever be taken advantage of) should yield to some man other than her husband the rights of a husband, would this other man be guilty of adultery and be liable to the penalties prescribed by the Indian Penal Code for that offence? According to the Code of Criminal Procedure, a charge of adultery must be preferred by the husband of the woman against the man who committed the offence with her. The husband, who might, under the Bill, commit adultery with his own wife, was not likely to prosecute himself for the offence, but would he be at liberty to prosecute any other man, which it was not improbable he might do? He did not think that this should be permitted; but as the Bill stood, it appeared to him that it would be allowable.

There were other points of detail in the Bill, calling for notice, but these might be left for consideration by the Select Committee. Before concluding his remarks he wished to observe, with reference to the opinion of Sir Barnes Peacock, cited by Mr. Muir, that if he, Mr. Harington, recollected rightly, Sir Barnes Peacock had, in the papers from which Mr. Muir had quoted, given it as his opinion that the laws of God which were applicable to Europeon Christians were equally

applicable to Native Christians.

Having now noticed the various points connected with the Bill which appeared to him to be specially deserving of consideration, he would only further say that should the result of the publica-tion of the Bill show that it was viewed favorably by a very large majority of the Indian Clergy, including under the head Christian Ministers of all denominations, and that in the opinion of such a majority the Bill should become law, he should not consider it consistent with his duty, should he have the honor of a seat in that Council when the Bill again came on for discussion, to offer any opposition to the passing of the Bill. On the other hand, if, in the words of his hon'ble colleague, Mr. Maine, the preponderant feeling should be shown by the result of the publication of the Bill to be against the Bill, and its enactment should be regarded as objectionable, either on religious or on political grounds, he felt sure that the Council would not consider it right or expedient to proceed further with the Bill.

The Hon'ble Mr. Anderson .-- " I am unwilling to avoid, Sir, the responsibility of taking a part in this debate, though I feel I can contribute nothing to the discussion, in addition to what has been stated by the hon'ble mover and the gentlemen who have preceded me. I confess that I have always dreaded the necessity for the introduction of a Bill similar to that now before us. I have always been accustomed, as a servant of Government, to advocate a stringent adherence to the policy of a complete abstinence by Government from all interference with the religious prejudices of the natives of this country. I have invariably ranged myself with those who consider that Government education in India should be strictly secular education, and the more I have seen of the operation of the Educational Department in the part of India in which I have served, the more convinced I am that such instruction can be imparted to the incalculable benefit of the governed, without any prejudice to their religious feelings and without any prudish reserve as to simple historical facts. I hold these views not merely from a fear of what may be the results of an opposite policy,-results which I shrink from contemplating -but from a higher feeling, that non-interference with the religion of the governed, is the great Charter of the subjects of our Indian Empire, that it is the peculiar glory of our rule, that we have never sought to propagate our faith by any exhibition of force or by any offer of sordid inducements. Holding, then, as I do most strictly, that the maintenance of this policy should be absolute, consistent, and veracious, the subject of this Bill is one which I should have been glad to see the Legislature avoid, if it honestly could; and I must even now say that if I thought the proposed measure was in any remote degree a part of an organization to induce the Natives of this country to change their religion, it should have no support from me. But the appeal which is made to us is not to our Christianity, but to our sense of justice; and I am compelled to say, that in my opinion it is an appeal which can rightly receive but one answer. A subject says to us: 'On account of my religious opinions, my wife refuses to dwell with me : either compel her to do so, or let me go I hold this to be a just demand, but I regret to find that such is not the view of the Clergy of the Established Church of England resident in Calcutta. I do not propose to dwell at any length on their petition, for it is one of the many difficulties which surround this subject that, without the exercise of great caution, it may involve us in discussions which are not suitable to the deliberations of this Council. I will make, therefore, but one general remark. The Clergy of the Church of England have many claims on our respect as a body: they have exhibited great piety, learning, purity of life, and sympathy with suffering; but I cannot say that it has come within my experience that I have ever heard that it has ever been presented to me as a fact in the course of my reading, that the Clergy of the Church of England have in any conspicuous degree, or indeed in any degree at all, displayed any vocation towards celibacy. I do not impute this to them as a reproach. The celibacy of the Clergy as an institution has had its uses: it probably, during the dark ages, saved us from the curse of an hereditary Priesthood; but in the nineteenth century I should as soon suggest to a dignitary of the Church to assume the part of Simeon Stylites, and to be the incumbent of a pillar on Salisbury Plain, as I would urge on him the virtue of celibacy. But have we not a right to say to these Reverend Gentlemen, if you, with your intelligence and high aspirations, with all the resources of science and learning at your command, still find it not expedient to be as St. Paul was, are you justified in withholding relief from the poor Hindú, whose religious convictions, it may be, have succumbed to your dialectic power? Does not such a course savour of the practice of that straitest sect of which St. Paul was a member, before he received his commission to Damascus? Are you not imposing a burthen grievous to be borne, which you will not touch yourselves with one of your fingers? But I am not inclined to dilate upon this petition, especially as the propositions put forth in it are not supported by any reasons. I can only at present say that these propositions do not command my concurrence. But I would remark that it will be largely subservient to the ends of good government, if the gentlemen who have signed the petition will state their views freely and at length, during the considerable time which must elapse before this Bill comes on again for discussion. For I am very glad that my hon'ble friend, the mover, has determined to give every opportunity to the Public, and especially to the Native Public, to express a deliberate opinion upon this measure. It is a very difficult duty for Europeons to legislate on such a subject, and I know of no question which so imperatively demands a careful expression of Native opinion as the one now before us. If the intelligent portion of the Native community will give this Bill a candid and careful consideration, they will very possibly be able to submit objections which are not likely to occur to our minds; but I do not think they will be able to say that this Bill has been devised with a view to induce Hindús and Muhammadans to embrace Christianity, or that through this Bill a man will be likely to become a Christian in order to obtain another wife. On the contrary, I think they will see that he will far more easily obtain another wife by adhering to his original religion. If we are to deal with this question at all—and I confess I think we are as much bound to afford to this class of our fellow-subjects the relief they seek, as we are bound to protect their persons from ill usage and their property from destruction—if we are to deal with this question at all, I do not think it possible that a measure more moderate, more cautious, one exhibiting more earnest anxiety to do justice, and only justice, could have been submitted, than the one which has now been introduced. I trust that, if no solid objections are hereafter advanced, it may eventually become law."

His Excellency the PRESIDENT said that whatever might be the fate of the Bill, he thought that those who were opposed to it exercised a wise discretion in agreeing to allow it to go before a Select Committee. Only in that way His Excellency thought could the pros and cons be fairly deli-berated upon and fully considered. Judging by the light of his own experience, His Excellency thought that the hardships imposed on a Native Christian of this country were very great, and that we were bound in duty as Statesmen and Legislators to give them relief, as far as we could do so, fairly and honestly, with reference to others who were interested in the measure. When we considered that the Native Christian Convert had been bred up under peculiar laws, under peculiar customs, under a peculiar system, which allowed and encouraged polygamy, it became a peculiar hardship to that convert, when deliberately repudiated by his own wife or her own husband on account of the change of religion, that Christianity should enforce celibacy, and that no relief should be granted by the Legislature. It seemed to His Excellency only reasonable, fair, and just that relief should be granted, and that such relief could be no just cause of aggravation or irritation to any of the persons concerned.

The Hon'ble Mr. Maine in reply said:—"Sir, the wide difference of opinion as to principle which has shown itself between your Excellency and my hon'ble friend Mr. Muir on the one hand, and my hon'ble friends Mr. Harington and Mr. Cust on the other, goes, I think, some way to justify my view that the only mode of solving this difficult question is by requiring those who, by their active exertions, have added to Indian society this class with whose interests we have such difficulty in

dealing, to take upon themselves, and to relieve the State from the responsibility of saying when their Converts ought or ought not to be remarried. Deeply, however, as Mr. Harington and Mr. Muir differ, they seem to agree in considering that unconsummated marriages between children may legitimately be neglected, and that after a mere betrothal, a Christian Convert may be allowed, without more, to re-marry. Of course, Sir, from the point of view which I feel myself compelled to occupy for the purposes of this discussion, the point of view of secular morality, there is much to be said against infant marriages. I have never conversed with an educated Native gentleman who did not allow that these marriages are deeply injurious to the morals of native society. however, that if we allowed a young man to acquit himself of the obligations which Hindú Law and his family have imposed upon him by the mere fact of having changed his religion, we might expose this measure to imputations which cannot, I think, be justly brought against it as it stands; we might open the door to grave abuses, and certainly should give room for great scandal. On the whole, I think that the safer course is that the Convert should allow his wife an opportunity of joining him when the period of infancy has gone by. But it is a point for consideration in Committee whether, in the case of a marriage not followed by cohabitation, some of the interviews and interrogations provided by the Bill might not be dispensed with. My hon'ble friend Mr. Harington enquires whether the Missionaries will not be satisfied if, in addition to a measure permitting their Converts to neglect mere betrothal, a law allowing divorce on the ground of adultery be en-There is reason to believe that Her Majesty's Government is likely to introduce into the British Parliament a measure giving Indian divorces between Christians the same effect as if they had been decreed in the English Divorce Court. And if such a measure be passed, it will certainly be the duty of your Excellency's Government to introduce into this Council a Bill providing for the dissolution of marriage on the ground of adultery and applying to all Christians in India, Native as well as European. But, Sir, when it is contended (I do not know whether my hon'ble friend so contends, but it is sometimes contended) that such a law can be regarded as a substitute for this measure, the argument is one which I regard with the extremest repugnance and dislike. For, stript of all disguise, it seems to me to come simply to saying this: "If you will only hold your hand, if you will only do nothing, the heathen wife is sure to be guilty of adultery, and then you may divorce her without shock or injury to the conscience of the Christian world.' Now, Sir, it is one of the recommendations of this Bill in my eyes that it protects the morality of the Heathen wife no less than the morality of the Christian husband, and, by permitting her to remarry, displaces, so far as legislation can displace, that ground of divorce which some persons seem to think more satisfactory than the practical defeat of the objects of marriage.

As regards the observation of my hon'ble friend that the Bill inflicts a punishment on the wife, who, according to her own views, has been guilty of no wrong, the answer is that, in all civilised societies under express law, and in all uncivilised societies under law expressed or unexpressed, there exists a proceeding analogous to the suit for

restitution of conjugal society. It is true that the refinement of sentiment and manners in Europe rarely allows this proceeding to be resorted to; but legislators have not thought fit to expunge it from European Codes, and, indeed, in more than one European Code it has latterly been made more stringent. It will generally, indeed, be found that in proportion to the repugnance of the framers of a body of law to divorce is the stress they lay on the rule that the wife must always be with her husband-a rule which they occasionally enforce by criminal penalties. Nor is any loathing, however deep, a reason for not executing the obligation. Now, will you compel the heathen wife to rejoin her Christian husband against her will? You cannot, and I may almost say, you dare not. But if this be so, the word punishment is entirely inapplicable to a measure like this, for, whatever be the penalty you inflict on the wife, it is a penalty which, according to her views, is infinitely slighter than that which, according to the principles both of civilised and barbarous law, she might be compelled to submit to. Strictly speaking, she should join the husband whom she loathes with a loathing un-But instead of forcing her to known in Europe. do so, you permit her to remarry and protect her in her personal and proprietary rights.

Of course in my hon'ble friend's appeal to the Bishops, the Clergy, and the Missionaries carefully to consider this measure, I most heartily concur; and I deliberately abstain from replying to much that has been said by Mr. Cust and Mr. Harington, because I think that the answer will come with much more grace and with much more effect from those to whom this appeal is addressed. But, Sir, I have read so much of the sort of communications which may be expected to be elicited by this appeal that I may be pardoned for offering, with the greatest respect, a few cautions. Sir, if the Missionaries or the Clergy can establish that the morality of the converts will be injured by the Bill, that will be a fact of the highest importance. If, again, they can show that the conscience of the Christian world will be shocked by this measure (and of course we can only know the feeling of the Christian world by ascertaining the feeling of its various sections,) that, too, will be a fact of which this Council will be bound to take notice. But if they are tempted to enter into purely theological arguments as to how and when and why these marriages are lawful or unlawful, I would ask them merely to read the list of the members of this Council, and to say with what decency it can be required to decide whether such considerations are right or wrong, sound or unsound. A second caution I have to give is this: the gentlemen who have signed the single petition against the Bill which is in the hands of members, affirm, with some boldness, that the Native wife comes over to her husband in the great majority of cases. My own information contradicts this; and I have generally found that those Missionaries who have doubts as to the Bill confine themselves to alleging that, if some long period of time be taken, such as eight, or ten, or twelve years, the probability is that the wife will come over. Indeed, as it is only recently that great success has been obtained by the Missionaries, there has not been time for the attainment of more than a probability. But, Sir, the assignment of these long periods of time constitutes no answer, I must say, to my argument, that is, to the secular and moral argument. For the obvious rejoinder is, what sort of life has the Convert been living in the interval?

I will venture yet another remark for the consideration of gentlemen who may respond to my hon'ble friend's appeal. It has often struck me that, in abstract or moral questions which appear hopelessly insoluble, a great part of the difficulty usually arises from persons confidently employing words without having quite ascertained their meaning and their true relation and correspondence with things. I would ask the opponents of this Bill whether they are quite sure of the sense in which, for the purposes of this controversy, they used the terms 'marriage,' 'divorce,' and the like. The theory which they hold, I believe, is that marriage is a civil institution, consecrated by Christianity: consequently, they take the definition of what constitues marriage from the civil and secular law, and, in this country, from the Heathen law; but the incidents and consequences of marriage they interpret by Christian law. It is obvious, however, that the theory breaks down in its application to polygamous societies, for each one of many wives is as much a wife as the others, so that those who hold this view are compelled to take a mere fragment of the secular definition and prop up the theory with it. And it illustrates the difficulty of the question that, as I can assure the Council, we shall probably, in Committee, have to take account not only of polygamy in the ordinary sense, but of polyandry, to provide for the case not only of a man having several wives, but of a wife having several husbands. It is only because I await fuller information as to the degree in which the Civil Courts in the South of India recognise this practice that I have omitted all reference to it in the Bill. In short, Sir, if we take India as a whole, I believe it will be found that the forms of marriage are so monstrous that it is impossible to make them fit in with civilised, and still less with Christian theory. It would seem, therefore, that we are thrown back on the very foundations of the institution of marriage. Accordingly I would submit to those who doubt the principle of this measure whether a reasonable theory (I will not say the reasonable theory, but a reasonable theory) be not that of the Roman Catholic Church, which, as I understand it, is that, while the most serious efforts should be made to bring over the heathen wife to her husband, the heathen marriage, nevertheless, has in itself no such sanctity as will compel the Missionaries, out of respect to it, to acquiesce in the defeat of the practical objects of marriage. However that may be, as to what should be the secular view. I have no recovery the secular view. secular view, I have no manner of doubt. I consider the creation of a celibate class fatal to morality in India; and when the gentlemen who have signed this petition express a fear that the measure may lead the heathen to believe that Christians think lightly of the institution of marriage, I would beg them to ask any Native gentleman whom they can depend upon to give a frank opinion what he thinks of a proposal that celibacy be practised for a series of years by a Native Christian, or any other Native? I must repeat what I said in the first debate on the subject, that if no such measure as this be passed, there is too much reason to fear that the Missionaries, with the very best intentions, at the cost of enormous selfsacrifice and immense self-denial, will, nevertheless, in effect be propagating immorality in the name of Christianity."

The Hon'ble Raja Sahib Dyal Bahadur said that, in his opinion, the passing of this Bill would be contemplated with grief by the people.

The motion was put and agreed to.

ACTS AND REGULATIONS' EXTENSION BILL.

The Hon'ble Mr. HARINGTON moved that the Report of the Select Committee on the Bill to authorize the Governor-General of India in Council to extend to the Non-Regulation Provinces under the immediate administration of the Government of India certain Acts and Regulations not in force in those Provinces, be taken into consideration. He said the only alteration of any consequence which the Select Committee had made in the Bill was the introduction of a section giving the Governments of the North-Western Provinces and the Punjab power to extend to the Non-Regulation territories under their respective Governments any Act or Regulation of the Government of India, passed previously to the date ernment of India, passed previously to the date upon which the Bill would come into operation, not in force in these Provinces,—thus carrying out the suggestion to which he had referred when he introduced the Bill.

The motion was put and agreed to.

The Hon'ble Mr. Harington also moved that the Bill as amended be passed.

The Motion was put and agreed to.

The following Select Committee was named :-

On the Bill to legalize, under certain circumstances, the remarriage of Native Converts to Christianity:—The Hon'ble Messrs. Harington, Maine and Anderson, the Hon'ble the Maharaja of Vizianagram, and the Hon'ble Messrs. Taylor, Muir and Cust.

The Council then adjourned.

WHITLEY STOKES,

Offg. Asst. Secy. to the Govt. of India.

Home Dept., (Legislative).

The 6th January 1865.

Government of Bengal.

Cyclone of the 5th October 1864.

SPECIAL NARRATIVE.

Herewith I have the honor to forward, by direction of the Lieutenant Governor, copy of the correspondence relative to the destructive Hurricane which visited Calcutta and the neighbouring districts on the 5th October last, and to the measures of relief which were adopted by the I ublic and by the Officers of Government in order to mitigate the effects of the calamity.

From a Note recorded by Colonel Beadle, the Chief Engineer to the Government of Bengal, it

From a Note recorded by Colonel Beadle, the Chief Engineer to the Government of Bengal, it appears that the gale had its origin at some point at sea in the latitude of Kyouk Phyoo (19° north)

1 thas, however, been suband about 100* miles west of the Arracan Coast. Travelling from that

It has, however, been subsequently ascertained that the gale took its origin somewhere about the Andaman Islands. and about 100* miles west of the Arracan Coast. Travelling from that point at first in a westerly direction, and inclining afterwards to the north, it first struck the Coast of Bengal about the Balasore Roads and Hidgellee. Here, during the night of the 4th, it raged with great violence, and from

this point the centre of the storm appears to have travelled in a northerly direction with a slight inclination eastward along the right bank of the Hooghly, at a pace varying from eight to twenty-six miles an hour. The full violence of the storm was felt at Calcutta from 10 A. M. to 4 P. M. of the 5th October, and about seven hours later at Kishnaghur. The direction of the storm remained the same throughout the greater portion of its course. It crossed the Ganges between Rampore Beauleah and Pubna, sweeping over the whole length of the Bograh District, and

origin and direction of the gale.

and Pubna, sweeping over the whole length of the Bograh District, and only taking a recurvature to the eastward when it had reached the degree of 25° north, after which it became expended in the Garrow Hills.

The destruction caused by the gale was two-fold. There was first the violence of the wind, to

The destruction caused by the gale was two-fold. There was first the violence of the wind, to which is to be attributed the wide-spread destruction of houses and of trees; and secondly, there was a storm wave which the gale brought up from the Bay of Bengal and drove in front of it up the line of the River Hooghly,

and over the country on either side of it for a distance of several miles. It is needless to say that this wave, rising, as it did, in some places to a height of 30 feet, sweeping over the strongest embankments, flooding the crops with salt water, and carrying away entire villages, was very much more disastrous in its effects than the mere violence of the wind.

The injury caused by the gale in the Town and Suburbs of Calcutta is given in detail in the Report from the Commissioner of Police, dated 17th October, No. 1287.

The damage was principally done in the northern part of the Town, where the native huts were blown down in great numbers. Even there it turned

the native huts were blown down in great numbers. Even there it turned out to be less than had been at first anticipated, and the loss of life, considering the number of houses and of trees blown down, was providentially very

| | Europeans killed. | Europeans wounded. | Natives killed. | Natives wounded. | Masonry houses des troyed. | Masonry houses damaged. | Tiled and straw hut destroyed. | Tiled and straw hut damaged. |
|----------|-------------------|--------------------|-----------------|------------------|-------------------------------|-------------------------|-----------------------------------|---------------------------------|
| Calcutta | 1 | 1 | 16 | 12 | 37 | 299 | 1,322 | 3,625 |
| Suburbs | 1 | | 31 | 3 | 65 | 264 | 39,376 | 969 |

and of trees blown down, was providentially very small. The table in the margin gives a tolerably accurate return of the loss of life and of the destruction of houses. The damage done to the shipping in the river will be noticed in another part of this Narrative. For a day or two after the storm, many of the roads, both in the Town and Suburbs, were obstructed by the numerous large trees blown down. These were for the most part removed without delay; but the destruction of the finest trees in and around Calcutta has inflicted an injury on the Town from which it will take many years to recover, and the quantity of broken boughs and leaves which were blown into

the tanks from the trees surrounding them, has in many places so deteriorated the water as materially to affect the public health.

Hooghly.—The gale was felt with great severity over the eastern and southern portion of the Hooghly District. The loss of life registered by the Police is given at 112, but no computation has been made of the number of houses blown down, or of the value of the property lost in the district. The Civil Station of Hooghly suffered severely owing to the buildings being for the most part very old, and the Town of Scrampore also was extensively injured.

BURDWAN.—The district of Burdwan has not suffered to any great extent, but at Culna a large number of boats were wrecked, and consequently much valuable property was lost.

-The storm was felt with equal violence all over the Nuddea district, the vortex passing close to the Sudder Station of Kishnaghur. The full violence of the storm was not felt there till 5 P. M. on the 5th, from which time till 7-30 P. M. "it blew with terrific force from the east and north-east. A calm of about half an hour's duration then succeeded, after which the storm blew with nearly the same violence as before, but from a north-westerly direction. At about 9-30 P. M. it ceased." The Government Buildings, the Railway, the Telegraph, and the Native Towns all suffered severely. No accurate returns of the loss of life have been received, but it is known that fourteen persons were killed by the falling in of houses. The loss on the rivers cannot even be approximately estimated. The rice crop is not supposed to have suffered much, but the sugar-cane and pepper crops were much injured.

RAJSHAHYE .- At the Sudder Station of the Rajshahye district the storm continued all through the night of the 5th, the hours during which it raged most heavily being from 10 p. m. till 2 p. m. It blew first from the north-east, then from the north, shifted round to the north-west, and gradually

got round to due west, when it subsided.

Both at Rampore Beauleah itself and throughout the district the damage done to native huts was considerable, but little life was lost, one case only having been reported. At Pubna the Government

buildings suffered considerably.

BOGRAH.—The gale was felt very severely at Bograh. Its full violence did not commence till 2 A. M. on the morning of the 6th, and the wind is stated to have been mainly from the east and south-east. The damage done was very great. The Jail was blown down and the other Government buildings all suffered. The Bazar was laid in ruins and a number of boats went down at the Ghats;

no loss of life, however, occurred on the river, but in the town twelve deaths were reported.

In all the districts hitherto referred to, the loss of life and property was occasioned solely by the gale. In the districts to which allusion will now be made, the principal agent of destruction was the storm wave which the gale drove up from the Bay of Bengal, and which, carrying away or over-topping the embankments on either side of the river, spread ruin and devastation to a distance of some eight miles inland; and only after its force was expended by being spread over this extent of country, and after it had arrived within twenty miles of Calcutta, was it so far diminished as to be confined in the main within the actual river banks. Had the embankments below been of size and strength sufficient to keep this wave within their boundaries, the result to Calcutta would have been infinitely more disastrous than it was, and the total destruction of life and property would have been immeasurably

HOWRAH.—The total destruction reported in the Howrah district is given in the accompanying Table. Of this destruction, the figures opposite the two last headings alone represent that caused by the irruption of the storm wave over the country.

| | Number of persons killed or drowned. | Number of cattle killed. | Number of masonry houses destroyed. | Number of mud houses destroyed. | Computed value of pro- perty lost. |
|------------------|---|--------------------------|--|------------------------------------|---------------------------------------|
| | | 10000 | | | Rupees. |
| Seebpore | 2 | 0 | 50 | 2,775 | 1000 |
| Howrah | 3 | - 8 | 47 | 1,723 | |
| Golabarry | . 5 | 50 | | 5,000 | |
| Bally | 0 | 12 | . 5 | 5,262 | 94,611 |
| Domepore | 13 | 250 | 23 | 35,114 | 12,92,897 |
| Juggutbullubpore | 5 | 176 | 83 | 7,094 | 4,83,247 |
| Amptah | 32 | 455 | | 24,678 | |
| Bagnan | 6 | 72 | 2 | 25,000 | 6,54,721 |
| Shampore | 1,487 | 9,307 | 11 | 24,641 | |
| Ooloobariah | 425 | 2,432 | 17 | 18,871 | 22,03,725 |
| Total | 1,978 | 12,762 | 316 | 1,50,158 | 60,49,831 |

The destruction in the first eight Police Stations is due mainly to the gale. The computed loss of property is compiled from the statements of the sufferers, and from the especial proneness of natives to exaggerate misfortunes of this kind, it is not doubted that the figures in regard to property destroyed are unreliable. The Superintendent of Police is of opinion that half the amount stated would be a fairer approximation to the truth. A great portion, however, of the loss and damage caused in this district is of a kind which cannot be accurately estimated. The injury done to fruit-trees and gardens (which, in the vicinity of Howrah, were very numerous and supplied a great portion of the Calcutta market) is very extensive, and it will take years before the loss is completely repaired. The loss of 12,000 head of cattle, too, is one which will be severely felt for a very long time, though a number of those killed in this district were only passing through on their way to the Calcutta market from other districts, and the loss is thus distributed over a larger area. The damage done to the crops in the southern part of the district is

very great, and as yet it is impossible to say how far the flooding of the land with salt-water may have deteriorated the productive powers of the soil in those parts for several years to come. Similarly with the tanks, which have become, for the present, unwholesome and even poisonous, it is difficult to say how long it will take for these to become fit for use. It is known that even in a soil impregnated with salt, they do become wholesome after a time, and it is stated that already the water in those which were inundated with the salt wave has begun to turn sweet.

MIDNAPORE. - In the district of Midnapore, the southern and eastern portion of which was exposed to the full violence of the storm wave, the effects have been most disastrous. The returns from Police Stations show the total loss of life there to have been 20,065. There are no means of obtaining accurate returns of the loss of property, but a detailed account of the observations made personally by the Magistrate will be found in the enclosures of letter No. 169, dated 23rd November 1864, from the Commissioner of the Burdwan Division. The following is an extract from his Report, which refers to that portion of the district which lies between the Russoolpore and the Roopnarain Rivers, and will serve to show what the loss of life was in the places which were most exposed to the destructive influence of the storm wave:—

"The loss of life through the whole track from the Russulpore to Kookrahattee has been very large, but specially so above Kedgeree. Between Kedgeree and Kookrahattee we saw no one who had not lost large numbers of his relatives. The Police of the Kedgeree Station have knowledge of 1,585 deaths throughout formally reported to them. The people of Goomghur estimate their loss at three-fourths of the population, and Sooruthram Prodhan, the Naib of Dorodoomman, says that in Mr. Collector Bayley's time he estimated the population for that Officer at 15,000, and that he numbers the survivors of the inundation at 5,000. As the population of a locality so notoriously prosperous must have much increased since Mr. Bayley's time, this gives a very serious estimate of the loss; whatever may be thought of it, it is certain that the proportion of lives lost to population has been very great. A case of dacoity from the neighbourhood of Nundee Goan had been committed to the Sessions with thirty-two witnesses. The Police have reported that only two of them are forthcoming, and though I have ordered further enquiry on the point, the circumstance may be noted here even though eventually it may be found that the missing thirty have not all been lost." quiry on the point, the circu thirty have not all been lost.

The height of the storm wave varied very much. On the southern coast, accounty the sea, the storm wave nowhere attained any extraordinary height, and did not to any noticeable extent breach the sea face of the great Dyke of Hidgelee, which extends from the Subornorekha to the western bank of the Russoolpore River. As, however, it struck the western coast forcing itself up thight became greater and its violence more destructive. Thus on the channel of the Hooghly, its height became greater and its violence more destructive. Thus on the southern face of the sea dyke its height is stated to have been only 4½ feet, but as it approached the Russulpore, its height increased. At Goonput it was 11 feet 6 inches, and at Dowlutpore 30 feet

Above the Russulpore River it rose still higher, and the embankments here being constructed only to oppose the waters of the river, and consequently much lower and less massive than those of Hidg elee, which have to resist the violent storms from the Bay, were everywhere over-topped by the waters and formed no effectual resistance.

The crops even in the districts over which the storm wave passed, are by no means entirely destroyed. Happily the water drained off from a great portion of the land very quickly, and the deposit of salt was not such as to destroy the crops growing there. Where, however, the water did not at once drain off, the crops have been greatly injured, and in the three Pergunnahs of Bograie, Khaleesa Bograie, and Gomesh the loss of the crops is estimated at one-fourth of the whole. In Goomghur, Dorodoomnan, and Mysadul the loss is far worse, and it is anticipated that scarcely one-fourth of the crop will be saved.

The loss of cattle in this district is computed to be not less than 40,000 head. The number of houses destroyed cannot be estimated; but at Tumlook, (which, though exposed to the full severity of the gale, was less severely visited than places down the river by the storm wave,) it is stated that out of 1,400 houses, only 27 remained standing.

The loss of Government salt and the damage done to Government buildings will be noticed in

another portion of this Narrative.

24-Pergunnahs.—Not less disastrous than in Midnapore were the effects of the storm throughout the southern and western portion of the 24-Pergunnahs. There also the storm wave, commencing at Saugor Island, swept over the embankments, destroying huts and villages within a distance of eight miles from the river, and ceased not in its work of destruction till it reached Atcheepore. Saugor Island suffered perhaps more extensively, and the destruction there was more complete than in any other portion of the tract visited by the storm wave. Striking it at once on its western and on its southern face, the wave carried away the embankments, utterly destroyed all the houses, huts, golahs, and buildings, and left scarcely any living creature on the island. The few human beings that escaped were saved either by climbing up trees or by floating on the roofs of their houses, which the wave swept on to the mainland and carried inland many miles. At first it was reported that 90 per cent. of the population had perished, but it is found that out of a population of nearly 6,000 souls, there is still a remnant left of 1,488. The cattle destroyed in the flood were 7,000, and the houses 3,565. The storm wave at Saugor Island was fifteen feet above the level of the land, and it appears to have cut a channel straight across the island dividing it into two halves.

The statistics from the other portions of the 24-Pergunnahs are by no means so accurate as from Saugor Island. The Police Returns give the total loss of life, including that at Saugor Island, as 12,000. The estimate of Mr. Payne, a Missionary who has been assisting in distributing relief over that part of the country, is based on separate information, and his calculation is that in all villages within one mile of the river, the loss of life was 80 per cent., and in other villages within the area over which the destruction of the storm wave extended, the loss was from 30 to 40 per cent. The loss in cattle is estimated at 80 per cent. The distress and suffering to which the survivors were exposed after the disaster was very great. For several days it was impossible for them to obtain food; the local stores had been swept away, and for three or four days there were no means of sending relief from Calcutta. In some places they were known to be eating a kind of grass, and at a few places where the storm wave had not extended in all its violence, they broke open and plundered the stores of the rice merchants who refused to distribute or (it is alleged) to sell their grain.

In the tract above referred to, the Sub-Divisional Station of Diamond Harbour is situated, and the loss there was excessive. The wave there was eleven feet high, and the scene which the place presented

a few days after the storm was most lamentable. The following is an extract from the Report of the District Superintendent of Police who visited the Station on the 12th October :-

"The hurricane of the 5th instant was there accompanied by an inundation of the river along the coast for about eight miles inland. The disastrous effects which meet the eye on every side within the limits I have mentioned prove that the water must have risen unprecedentedly high and advanced with fearful suddenness.

After passing the village of Futtehpore, about eight miles from Diamond Harbour, the effects of the inundation are visible. The villages on either side have all suffered more or less. Some have been completely swept destroyed, only the floating wreck of houses, carts, &c., &c., to show where they stood. Others have been partially destroyed, only the houses that were situated on the lowest ground having been swamped. As the country is still under water, it was impossible to go into the villages and ascertain the exact amount of loss of life and property sustained, but the sights which met the eye on the road itself proved but too painfully and clearly that the loss of life must have been immense. I do not think I am going beyond the mark in saying that within six miles of Diamond Harbour it is impossible to go fifty yards on the road without seeing a human body. These are evidently the corpses of individuals who were overtaken by the storm and the flood on the road, What the loss of life must have been in the villages may be imagined. In some villages every house has been swept away with almost all the inhabitants. inhabitants.

have been in the villages may be imagined. In some villages every house has been swept away with almost all the inhabitants.

"The Deputy Magistrate's house is so badly injured as to be almost uninhabitable. The Kutcherry house is a mere wreek. The Lock-up is standing, but the wall that surrounded it has been destroyed. A pucka building occupied by the Police Guard has fallen in. The Telegraph house has sustained severe damage, but is still habitable. The Custom House is comparatively but slightly injured.

"As far as my own Department is concerned, every Police Station in the Sub-District has been either blown down or swept away; two Head Constables belonging to the Govindopore Police Station were drowned. Several Constables belonging to the various Stations are missing; their fate is as yet unknown. Nearly all the Station records and articles lodged in the Malkhanahs are lost; most of the Officers and men have lost their uniform, accourtements, &c.

"On the 7th instant, two days after the storm, a large number of men, it is said about a thousand, came to Diamond Harbour and commenced taking away salt from Mr. Fraser's Salt Golahs. The men were literally starving; they had no food for two days; they wanted the salt to mix with a kind of grass which they eat eagerly. At this time there was only a Head Constable and nine Constables present. They interfered to prevent the plunder of the Golah, the mob turned on them savagely and beat them off; the Constables had only batons; that they did all that men could do under the circumstances is proved by the marks of severe beating they almost all bear; the fearful hardships of the two past days had almost driven the survivors mad. Even if a larger party of Police had been there, is difficult to know how they could well have used more force towards men under such circumstances; and though the unfortunate people can scarcely be blamed, it is impossible not to sympathise with Mr. Fraser, who has been a very heavy sufferer.

unfortunate people can scarcely be blamed, it is impossible not to sympathise with Mr. Fraser, who has been a very heavy sufferer.

"I cannot close this, Report without mentioning that, as I rode along the road, men came out on all sides, stating that they had not eaten for days, and imploring assistance. Their looks fully bore out their statement. There is every reason to believe that the destitution at present in the Diamond Harbour Sub-District is appalling; not only have the bazars and golahs with their supplies of rice been swept away, but the inhabitants have lost nearly all the means to procure food from elsewhere. I am afraid, unless prompt measures are taken for their relief, that famine and sickness will sweep away those who have escaped the inundation.

"I must not forget to add that the sufferings of the people have been much aggravated by the want of fresh water. The same inundation, which was so destructive to life and property, rendered all the fresh water for about fifteen miles inward, brackish and unfit to drink. I send fresh water every day from Bistopore for the use of the Police."

The deaths in other portions of the district have been much less, and those which have been reported are noted in the margin. Houses, huts, and trees have been blown down in every direction, but this loss, which was caused merely by the gale, Sudder Sub-Division ... 49 Baroepore ,, Nyehatty ,, Nowabgunge Dum-Dum ... 19 is not to be compared with that which was caused by the storm wave in combination with the gale. The rice crop in these parts has not been much injured, but the sugar-cane and pepper crops have suffered *** ... 11 8 severely.

Destruction of Shipping in

By far the greatest amount of damage caused by the Cyclone was to the Shipping in the river. There were, on the morning of the 5th, 195 vessels within the limits of the Port. As long as they had only to contend against the violence of the wind, or up till about 1 o'clock in the day, they rode out without much damage, but

when to this was added the wave, the force of which was still not entirely expended, one vessel after another drove from her moorings, and as each ship was swept on, she fouled others in her course, and they carrying others with them, getting massed in hopeless and inextricable confusion, were driven in heaps on the opposite shore. It appears that 145 vessels were driven on shore, and that ten were sunk in the river. Of these the Gobindpore, a magnificent new ship of 1,200 tons, capsized and sunk off the Custom House; the crew were saved by the gallantry of a Sailor named Cleary, who swam off to the wreck with a line, by means of which all got safe to shore. The ship Ally had left the Port the previous day and met the gale a little below Diamond Harbour. She had on board 335 Coolie Emigrants for the Mauritius, and went down with all on board save seven of the erew and twenty-two of the Emigrants.

A detail of the ships lost and injured, and of the progress in recovering them, will be found with the Master Attendant's letters No. 2479, dated 18th October, and No. 2814, dated 8th November respectively. The results are briefly summarised in the statement below:

| Number of weedle in Det | *** | | | to de sido | |
|---------------------------|--------|--|-----------------|----------------------------|--------|
| Number of vessels in Port | on 5th | October | | | 195 |
| Number damaged slightly | | | | 39 | Mar-12 |
| Number damaged severely | *** | ************************************** | | 97 | |
| Number totally lost (a) | | Around to Market Williams | 1 5 1 5 m 1 5 m | 36 | |
| | | Alle Value | | i <u>sas</u> si Kalansa | 172 |
| Number not damage | ed | San Statistics of | | | 1 |

Notwithstanding this wholesale destruction and damage, it will be seen from those reports that by 19th October, i. e., a fortnight after the gale, 101 vessels that had grounded had been got off. Besides the damage done to the ships actually in Port, there was considerable loss on the river below. The Burmah Mail and Passenger Steamer Persia foundered off the Sandheads with the loss of all on board except two of the crew. The Hospital Ship Bentinck, which was at anchor near Diamond Harbour, was swept away by the wave and carried on to the top of the Diamond Harbour embankment. The troops on board and the crew were all brought safely up to Calcutta in the Steamer Defiance

Banshee. Linnet. Fire Queen Dwarkanath, and Satellite.

* Fame.

§ Salween. || Sonamookhey.

¶ Rhotas.

Kedgeree. + Guide. Grappler. Kedgeree.

Of the Tug Steamers plying on the river, six* were lost. The Peninsular and Oriental Company lost the old Hindoostan, which had been converted into a lodging Hulk, and which after breaking from her moorings turned over and went down off Garden Reach. Their Mail Steamer Bengal was carried across and stranded on the opposite side of the river, where she still is, though it is hoped that she will be got off without serious damage.(a) The Master Attendant's letter No. 2504 of 17th October contains a complete and detailed account

Injury to Government ves-

Injury to Public Buildings.

Enclosures of Public Works Department's letter No. 3443,

of the loss which the gale caused to vessels the property of the Govern-Injury to Government vessels, &c.

ment, to the Dock-Yard, and to the moorings of the Port. Of the Government vessels, the Steamer Adjai and the Hospital Ship Bentinck are irremediably injured and condemned. The Hope and the Krishna Light Vessels are, it is feared lost with all hands. Two* reserve Vessels, two† Buoy Vessels, two† Pilot

Vessels, and the Surveying Vessel were dismasted and more or less seriously injured. The Yachts of the Governor General and of the Lieutenant Governor of Bengal escaped without very serious injury. Of the Harbour Master's Anchor and Heave-up Boats, &c., seven were lost, including the Hulk *Matabangah*, and fifteen were stranded. Of the moorings in Port, there were 210 sets lost and only 60 saved. The Kidderpore Dockyard suffered mainly in the destruction of sheds and workshops, the machinery receiving but little damage.

A Report from the Superintending Engineer of the Presidency Circle shows the destruction ury to Public Buildings. wrought on the public works and buildings in this Circle by the Cyclone. With the exception of the injuries in the Midnapore district, this Report includes all the serious results which the storm caused to Government

dated 12th November. buildings, &c., in Bengal. Colonel Short estimates the damages at Rs. 2,00,000 for the outlying districts of the division; and for the public buildings in Fort William, Barrackpore, and Dum-Dum, he estimates the loss at Rs. 3,50,000. This estimate excludes in both cases the amount which will be required for the reconstruction of those buildings which have been so damaged as to be beyond repair. The loss in valuable trees mentioned in this Report cannot be estimated. The avenues in Fort William and the Botanical Gardens are destroyed; the Governor General's Park at Barrackpore has lost 50 per cent. of its valuable trees; and portions of the avenue along the road to Barrackpore have suffered to an extent even heavier than this.

The loss both to Government and to Merchants caused by the quantity of salt destroyed in the Loss of salt caused by the gale was considerable. The following extract shows the amount actually storm.

"Of twenty-six ships on the river, which were discharging salt before the holidays, three have foundered with 16,402 maunds on board, seven have thrown away the whole, and eight, portions of their cargoes, the total amount of salt thus thrown away being 2,02,082 maunds, 24 seers, and 1½ chittacks, according to their several manifests.

"Of seventy-six Country Boats containing 25,308 maunds of salt delivered to Beoparies under Rowannahs from the several ships, and which had not been formally examined and passed at Sootanooty, 67 Boats with 22,169 maunds on board are said to have been wrecked; only nine Boats and 3,139 maands of salt have been saved. Petitions for refund of duty will be submitted in all likelihood with reference to the losses herein adverted to.

"Forty-seven Boats containing 19,376 maunds of salt, which had been passed at Sootanooty, but were staying in the Port from stress of weather or other causes, are said to have sunk also, the total salt saved from among these vessels being 994 maunds only. Two Golahs in Hautkhollah have been also swept clear of their contents during the rise in the river, the loss caused hereby being 427 maunds. The total loss of passed and unpassed salt lying in the river, as well as of Golah salt swept away, aggregates 40,978 maunds.

"The wholesale and retail prices of salt before the holidays were Rs. 4-6 and Rs. 5 respectively. The maximum price after the gale rose to Rs. 5-4 for wholesale and Rs. 5-10 for retail sales. The prices have now fallen to Rs- 4-12 and Rs. 5 respectively. The supply of salt for the town has never been short. The rise of price has been owing to the closing of the Offices, and partly to the large quantity of salt which has been lost here and elsewhere. A falling off in the sales has been the natural consequence."

Beyond this the loss to Government property was little in Calcutta itself, but in other places the

Beyond this the loss to Government property was little in Calcutta itself, but in other places the damage done has been very severe. At the Narainpore Golahs it is estimated that out of 2,00,045 maunds in store on the 4th October, some 58,300 maunds, or about a quarter of the entire stock, was destroyed. In Hidgelee the Golahs have been much injured, but a detailed statement of the loss has not yet been procured.

In Sulkea the masonry Golahs and the salt which they contained received little or no injury : some of the temporary Golahs, however, were partially unroofed, and the rain getting in necessarily caused considerable damage.

At Goosery the Government Golahs stood well, but in some places their foundations have been seriously endangered, and expensive repairs will be necessary.

The loss caused by the gale to the various Emigration Agencies is detailed in the Report from the Protector of Emigrants, No. 333, dated Loss of life and property at the Emigration Depôts. 22nd October 1864.

In the Mauritius Depôt all the bungalows, sheds, and hospital accommodation provided for the use

of the Emigrants were completely destroyed. The Depôt for British Guiana was completely destroyed. The Emigrants, 600 in number, had been fortunately moved in time by the Agent to an adjoining house which was vacant. One old woman was drowned, though the Agent, at the imminent peril of his own life, made great exertions to save her.

(a). The Bengal was got off on 30th December after great difficulty and at a large expense.

The sheds in the Trinidad Depôt were destroyed, but the masonry house stood firm. The Emi-

grants, 500 in number, were removed in time from the sheds to the Agent's own house.

In the Bourbon Depôt a large shed was blown down, and of the sixty people inside, one was found to be killed, and about twenty injured. Later in the day, two sheds and the masonry hospital were blown down. In the ruins of this latter building one man and one woman were buried. The Agents all exerted themselves and made the best available provision for the safety and accommodation of their realises.

their coolies.

The Local Officers took measures at once, so far as lay in their power, to alleviate the distress caused by the gale. As soon as reliable information was obtained by the Magistrate of the 24-Pergunnahs of the state of the southern portion of Measures of relief. his district, he lost no time in sending out food for the starving population and in providing for the burial of the dead and the removal of the carcasses of animals and other substances likely to cause injury to the public health. He at once obtained an advance of Rs. 5,000 from Government and caused supplies of rice to be hurried down to Diamond Harbour, Futtehpore, Atcheepore, and Dabeepore; and, irrespective of the proceedings of the Relief Committee, 11,864 persons are reported to have been relieved by these means in his district. Steps were at the same time taken for the clearance of tanks and drains, and for the baling out of tanks filled with salt water; and, on these measures being reported to Government, the Lieutenant Governor directed that they should be persevered in until the entire portion of the country visited by the hurricane was cleared and the people were enabled to provide means of subsistence for themselves. Orders were also given for the arrangement of a systematic plan for the regular supply of food and water to the distressed villages, and it was suggested that, if the deficiency of good water should be found likely to be permanent, a scheme should be organized, if possible, for digging good fresh-water tanks, with a view to relieve the want of water and to give employment to the people. His Honor also authorized the employment of such extra Police as might be required for the maintenance of order, and for the protection of property, and for properly carrying out the measures of relief.

Similar steps were also adopted by the Local Officers of Midnapore and Howrah for the relief of the distress in their respective districts, and the Lieutenant Governor further directed that measures should be taken for immediately employing the whole of the population, which might be in want of work and food, in repairing the embankments in the 24-Pergunnahs, Hidgelee, and Midnapore on ordinary wages, but without adhering at the commencement to the strict exaction of work to be done for the day's wages, and he directed that all people asking for work should be employed in this manner, without excepting women and children.

In the Marine Department also active measures were taken from the very day of the storm to save life and property and to mitigate the effects of the disaster. On the evening of the 5th October, as soon as the abatement of the gale rendered communication possible, the Celerity and Koladyne were held in readiness, and started on the following morning, one to render aid to distressed vessels, and the other in search of the Sir William Peel with her Flats, having on board the 12th Native Infantry proceeding to Bootan. On the 7th the people of Moyapore were supplied with money to purchase rice, and the Celerity returned to town, having expended all her provisions in the relief of urgent distress on the banks of the river. On the 8th the Lady Elgin was despatched to assist in cruizing about the Sandheads and the Balasore Roads in search of Pilot and Light Vessels, wrecked Ships, and vessels in distress. On the 9th the Celerity was sent again with provisions and water to the Sandheads and False Point, and, having returned on the 14th, was despatched once more on the 18th with provisions and water to make a more extended the 14th, was despatched once more on the 18th with provisions and water to make a more extended search for distressed people and vessels. On the 9th two Row Boats were also sent to Kedgeree with provisions and water. The Salween, which was stranded there, had fed a number of people daily from her stores, but by that time her provisions were exhausted. During the following week five Government Boats belonging to the Harbour Master's Department were despatched with provisions down the river. The S. V. Koladyne was also despatched on the same day with provisions and water to the Sunderbuns, to visit the houses of refuge and to search for people and wrecks; the Swiftsure was also despatched to visit all the River Stations and to relieve immediate want wherever it was met with. The Stations visited and relieved in this manner were Atcheepore, Moyapore, Hooghly Point, Diamond Harbour, Chitamara, Mud Point, Kedgeree, and Cowcolly, and the Master Attendant was authorized to incur any expenditure that might be necessary for continuing these expeditions, for saving life and for rendering assistance to vessels in difficulty. The Lieutenant Governor also directed that the whole of the sea-coast should be examined, and, as far as possible, also all the creeks in the Sunderbuns.

The relief, however, which could be given by the Officers of Government was necessarily inadequate to meet the wants of such a population as that which was suffering from the total loss of their property, and from the impossibility of procuring either food or water. This insufficiency was promptly and effectually met by the organised efforts of the community. A public meeting was held a few days after the disaster, and a large subscription guaranteed at the time. This movement, which was originated by Mr. Walter Brett, was most nobly supplemented by the prompt and spontaneous liberality of the Parsee community at Bombay, and the subscriptions to the Fund now amount to nearly three lakhs of Rupees.

On the 14th October the Committee of the Relief Fund took up the River Steamer Bombay, which left at once with supplies of rice and fresh water, and after having visited the tract on both sides of the river which had been swept by the storm, left depôts of stores wherever they were most needed, and returned to Calcutta on the 18th. Another Government Steamer, the Teesta, was immediately after placed at the disposal of the Committee and sent down on the 23rd October with fresh supplies; and the Lieutenant Governor took this opportunity to appoint Mr. D. J. McNeile to officiate as a Joint Magistrate and Deputy Collector in the 24-Pergunnahs and Midnapore, to proceed in charge of the supplies, and to remain in the distressed districts with a view to direct the operations of relief. Magistrates of those districts were also directed to co-operate with the Relief Committee and make the

| A. 3143 | | | | | PERSONAL CONT. | |
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Public Establishments available for applying in the most efficient manner the money which had been subscribed by the public. The proceedings of Mr. McNeile are reported in detail in the Nuddea Commissioner's letter No. 253, dated the 18th ultimo. He started on the Teesta on the 23rd October with the stores noted on the margin and distributed them in Moyapore, Nuldaree, Fulta, Nonpore, Diamond Harbour, Culpee, Rangafullah, Dhaja, Fort Mornington, Paroolparah, Francis Gordon was sent down with the provisions noted on the margin, and from this supply a boat full of provisions and water-casks was made over by Mr. McNeile to Mr. Hugh Fraser, who had from the commencement taken an active part in forwarding these measures of relief for Island; and stores were also deposited at Kedgeree,

The Teesta left again on the 8th November with fresh stores; but the country on the east side of the river has been gradually reviving, and hauts are being held and the people are resuming their occupations; the distribution of food gratis to able-bodied men has in consequence been here discontinued; but the quantity served out at once to women and children has been doubled, so that they may take away enough for two meals at once. To this rule, however, the Island of Saugor is still an exception, and the people there must yet continue to be fed by charity for some time to come. On the western side of the river also the supplies of food free of cost are being continued, because no work of any kind has there been procurable for those in distress. It is, however, most satisfactory to find that the want of fresh water, which was at first supposed likely to continue for a long time, and to be the cause of great distress, has ceased to a great extent to be felt, the tanks, even where flooded with salt water, having recovered their freshness by natural process, and the decaying vegetation and other impurities, which at first made their water almost poisonous, having to some extent been removed, though doubtless the impure state of the water has had a most injurious effect on the health of the people.

A Statement of the manner in which the Relief Fund has been expended up to the present time

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| | T | etal Cost | of Stores, | Rs,. | 1,16,14 | 0 | 9. | 0 |
| | | The Copy | | | | | | |

A. P. is given in the margin.

The crews of the vessels destroyed by the Cyclone and of those which became unseaworthy, having been thrown on the charity of the town, a Committee of the Sailors' Home was convened at the request of the Commissioner of Police in order to devise means for affording relief to these Seamen. From the first they were housed and well-cared for in the Sailors' Home, and fifty of them were taken on as additional Constables after the storm, and did good service in collecting and protecting wrecked property on the Strand. The great demand for labor on board the damaged Ships enabled many others also to find employment on their own terms; but when this demand began to lessen, the Sailors' Home Committee re-commended that the provisions of the Merchant Seamen's Act, whereby distressed and shipwrecked Seamen may be relieved and sent home at the public expense, should be put into operation. The Commissioner of Police was thereupon directed to place himself in communication with the Master Attendant, with a view of despatching home such distressed Seamen as came within the provisions of Section 211 of the Act, and also to report, for the Lieutenant Governor's information, further particulars regarding certain others whom he had suggested to send home at the joint expense of the Sailors' Home and of Government, a measure which did not however appear to be necessary, seeing that if the men are really in distress, they can be provided for under the Merchant Shipping Act. Occupation was also found in Her Majesty service for a number of these men (thirty) under the Rear Admiral at Bombay, and the Lieutenant Governor authorized the payment of Rs. 50 for the passage of each of these men, to be recovered from the Board of Trade.

To guard against a return of the disasters which occurred to the Shipping during the storm, the questions submitted for the consideration of Government have been (1) the construction of Wet Docks for the accommodation of the Shipping; (2) the completion of the requirements at Port Canning with a view to direct a portion of the Shipping to Mutlah; (3) the best mode of relaying the moorings so as to render them more

secure than they were before the gale. The two first of these proposals are under the consideration of The Hon'ble J. N. Bullen.

The Hon'ble J. N. Bullen.
Captain A. Fraser, R. E.
H. Hyde, R. E.
H. Howe.
Mr. G. Ross.

Mr. G. Ross.

Mr. G. Ross.

At the gentlemen named on the margin, to consider and report on the subject; and, in compliance with their recommendation, an urgent Indent has been sent home already for screw moorings for the Port in the place of the ordinary moorings hitherto in use. At the recommendation of the Master Attendant, the Lieutenant Governor has also authorized a rule being added to the Port Rules, that from the 30th September until after the full moon of November, no Ship in the Port shall be allowed to have top-gallant yards or top-gallant masts aloft, and that they shall in addition strike top-sail yard and top-masts when required to do so.

FORT WILLIAM, The 31st December 1864. 5

A. EDEN, Secy. to the Govt. of Bengal.



The Gazette of India.

Published by Authority.

CALCUTTA, SATURDAY, JANUARY 21, 1865.

mome Department.

LEGISLATIVE.

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor-General on the 7th January 1865, and is hereby promulgated for general information :-

ACT No. I of 1865.

An Act to authorize the extension of certain Acts and Regulations to Territories not subject to the General Regulations.

WHEREAS it is expedient to authorize the Governor-General of India in Council and the Lieutenant-Governors of the North-Western Provinces and the Punjab to extend to Non-Regulation Provinces under the immediate administration of the Government of India, or under the Governments of the Lieutenant-Governor of the North-Western Provinces and the Punjab respectively, certain Acts and Regulations in force at the time of the passing of this Act in parts of British India subject to the General Regulations; It is enacted as

follows 1. From and after the passing of this Act, it shall be lawful for the Gov-

Governor-General in Council may extend to certain Non-Regulation Provinces Acts and Regulations not in force there at the passing of this Act.

ernor-General of India in Council, from time to time, by noti-fication in the Gazette of India, to extend to any Non-Regulation Province under the immediate administration of the

Government of India the operation of any Act or Regulation, or of any portion of any Act or Regulation, in force at the time of the passing of this Act in any part of British India subject to the General Regulations.

Lieutenant-Govern-ors of North-West-ern Provinces and Punjab may extend to certain Non-Regula-ter Bossings Acts tion Provinces Acts and Regulations not in force there at the passing of this Act.

2. From and after the passing of this Act, it shall be lawful for the Lieutenant-Governor of the North-Western Provinces as to the Non-Regulation Provinces under his government, and for the Lieutenant-Governor of the Punjab as to the Territories under his government, by notification in the Official Gazette, to extend

to such Provinces and Territories respectively the operation of any Act or Regulation of the Government of India, or of any portion of any such Act or Regulation, in force at the time of the passing of this Act in any part of British India subject to the General Regulations.

3. Whenever the operation of any Act or Reg-

Power to direct by whom the powers incident to the provisions applied under this Act. shall be exercised.

ulation or of any portion of any Act or Regulation shall be extended under either of the last two preceding Sections, the Governor-General of India in Council or the Lieutenant-

Governor making such extension, may direct by whom any powers or duties incident to the pro-visions applied under such Section shall be exercised or performed, and may make any order which shall be deemed requisite for carrying such provisions into operation.

4. From the date of any such extension, so much of any Rule having the force of of law which shall be in operaent Rules. tion in the Territories to which such extension shall have been made, as shall be inconsistent with or repugnant to the enactment whose operation shall have been so extended, shall cease to have effect in such Territories.

5. This Act shall be called "The Acts and Regulations' Extension Act, Short title. 1865."

> WHITLEY STOKES, Offg. Asst. Secy. to the Govt. of India, Home Dept. (Legislative.)

The following Bill was introduced into the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 6th January 1865, and was referred to a Select Committee.

No. 23 of 1864.

A Bill to legalize under certain circumstances the remarriage of Native Converts to Christianity.

Whereas it is expedient to legalize under certain circumstances the remarriage of Native Converts to Christianity, deserted or repudiated, on religious grounds, by their wives or husbands; and to relieve ministers of religion from the penalties to which they are now liable for solemnizing such remarriages; It is enacted as follows:—

Short title. This Act may be cited as "The Remarriage of Converts'

Commencement of Act,

Act, 1865."

2. This Act shall commence and take effect on and from the first day of December 1865.

3. In this Act-

"Native Husband" shall mean a married man domiciled in British India, who shall have completed the age of sixteen years, and shall neither be a Christian nor a Jew.

"Native Wife" shall mean a married woman domiciled in British India, who shall have completed the age of thirteen years, and shall neither be a Christian nor a Jewess.

"Native Law" shall mean any law, or custom having the force of law, of any persons domiciled in British India other than Christians and Jews.

"Month" and "year" shall respectively mean month and year according to the British calendar.

And, unless there be something repugnant in the subject or context, words importing the singular number shall include the plural, and words importing the plural number shall include the singular.

Convert deserted by his wife on religious grounds may sue for conjugal society.

Convert deserted by his wife on religious grounds may sue for conjugal society.

Convert deserted by in consequence of such change his Native Wife, for the space of six continuous months, desert or repudiate him, he may sue her for conjugal society.

Convert deserted by her husband on religious grounds may sue for conjugal society.

Christianity and if solely in consequence of such change her Native Husband, for the space of six continuous months, desert or repudiate her, she may sue him for conjugal society.

Court in which suit shall be brought.

Court in which suit shall be brought.

Court in which suit shall be brought.

Court in which suit within the local limits of the ordinary original civil jurisdiction of any of the High Courts of Judicature, the suit shall be commenced in such Court: otherwise it shall be commenced in the principal Civil Court of original jurisdiction of the District in which the defendant shall reside at the commencement of the suit.

7. The suit shall be commenced by a petition Suit to be comin the form in the first schemenced by verified petition.

thereto as the circumstances of the case will allow. The statements made in the petition shall be verified by the petitioner in the manner required by law for the verification of plaints; and the petition shall bear a stamp of ten rupees, and may be amended by permission of the Court.

- On petition, citation issued to respondent to appear and answer.

 Joining the respondent to appear in Court on a day to be named in such citation, not less than one month after the service of a copy thereof on the respondent, and answer whether she or he refuses to cohabit with the petitioner.
- 9. The citation shall be in the form in the Form of citation. second schedule to this Act or as near thereto as the circumstances of the case will allow.
- Service of citation. sealed with the service of citation. seal of the Court shall be served on the respondent; and the provisions of the Code of Civil Procedure as to the service and endorsement of summonses shall apply, mutatis mutandis, to citations under this Act.
- Procedure where respondent does not appear.

 Procedure where respondent does not appear.

 Citation, and on every other occasion on which the respondent's appearance shall be required under the provisions of this Act, she or he shall be liable to punishment under the hundred and seventy-fourth Section of the Indian Penal Code, and the Court may authorize the Magistrate of the District to proceed under such Section against the respondent.
- Points to be proved parties shall appear in Court, on appearance of and the following points shall be proved:—
 - (1.) The identity of the parties:
- (2.) The marriage between the petitioner and the respondent:
- (3.) That the male party to the suit has completed the age of sixteen years, and that the female party to the suit has completed the age of thirteen years:
- (4.) The desertion or repudiation of the petitioner by the respondent:
- (5.) That such desertion or repudiation was solely in consequence of the petitioner's change of religion;
- (6.) And that such desertion or repudiation had continued for the six months next before the commencement of the suit.
- First interrogation of respondent.

 The Judge, if such points be proved to his satisfaction, shall thereupon ask the respondent whether she or he refuses to cohabit with the petitioner, and, if so, what is the ground of such refusal.
- Interrogations may be public or private. Act may, at the discretion of the Judge, take place in open Court or in his private room. If any such interrogation take place in open Court, the Judge may, so long as it shall continue, exclude from the Court all such persons as he shall think fit to exclude.

Adjournment for a month if respond-ent refuses to co-habit on account of petitioner's conver-sion.

15. If the respondent, in answer to the Judge's interrogatories, shall refuse to cohabit with the petitioner, and allege, as the sole ground for such refusal, that the petitioner has changed his or her religion, the Judge shall make an order adjourning the case for one month,

Parties in the in-terim to have a private interview.

And directing that in the interim the parties shall,
at such place and time as he
shall deem convenient, have a
private interview of not less vate interview. private interview of not less than one hour in length, with the view of ascertaining whether or not the respondent freely and voluntarily persists in such refusal. Such interview shall be subject to any conditions as to privacy which the Judge shall think fit: Provided that no condition which might interfere with the ascertainment of the respondent's wishes respecting such refusal shall be imposed upon such interview.

16. At the expiration of such adjournment,

Second interrogation of respondent.

the Judge, again

Adjournment for a year.

the parties shall again appear in Court, and if the respondent, on being interrogated by refuse to cohabit with the petitioner, and allege, as the sole ground for such refusal, the petitioner's change of religion, the suit shall be adjourned for one year.

17. At the expiration of such adjournment Point to be proved on expiration of ad-journment.

the parties shall again appear in Court, and the petitioner shall prove that the said desertion or repudiation had continued up to the time last hereinbefore referred to.

Proof of the mar-riage, and the deser-tion or repudiation of petitioner in consequence of conversion.

18. In any such suit, proof of cohabitation as man and wife shall be sufficient presumptive evidence of the marriage of the parties, and proof of the respondent's refusal or voluntary

neglect to cohabit with the petitioner, after his or her change of religion and after knowledge thereof by the respondent, shall be sufficient evidence of the respondent's desertion or repudiation of the petitioner, and shall also be sufficient evidence that such desertion or repudiation was solely in consequence of the petitioner's change of religion, unless some other sufficient cause for such desertion or repudiation be proved by the respondent.

19. The provisions of the Code of Civil Pro-

Provisions of Civil Procedure Code as to witnesses to apply in suits under this Act. cedure, as to the summoning and examination of witnesses, shall apply in suits instituted under this Act.

20. If the points mentioned in the twelfth

and seventeenth Sections of On proof of the rethis Act shall be proved to the on proof of the requisite points, suit to be adjourned for a month and parties to have another intersatisfaction of the Judge, he shall adjourn the suit for one month, and direct that in the

interim the parties shall have another interview of such length and subject to such conditions as he shall think fit.

21. At the expiration of such adjournment

At expiration of adjournment, if respondent refuse to cohabit, decree to pass permitting petitioner's remarriage. the parties shall again appear in Court; and if the respondent on being interrogated by the Judge again refuse to cohabit with the petitioner, and allege the petitioner's conver-

sion as the sole ground for such refusal, the respondent shall be taken to have finally deserted or repudiated the petitioner, and the Judge shall, by a decree under his hand and sealed with the seal of his Court, declare that it shall be lawful for the petitioner to marry again: Provided that it shall not be lawful for the petitioner so to marry any person standing in such a degree of relationship to the respondent as that, if but one of them had been a male, such person and the respondent could not have intermarried.

22. If there shall be children of the petitioner The parties' child-ren under the age of three years may be delivered to their mo-

ther on her applica-

and respondent, within the age of three years, in the sole custody or control of their father, or of any person by his authority, it shall be lawful for the Judge, on the application of

their mother, to direct in the decree or by a subsequent order that such children shall be delivered to, and remain in, her custody until attaining such age, subject to such regulations as the Judge shall deem convenient and just.

Dismissal of suit if either party is under the age required by the Act, or if the par-ties are cohabiting, or the respondent is willing to cohabit.

23. If at any stage of the suit it be proved that the male party to the suit is or was at the institution thereof under the age of sixteen years, or that the female party to the suit is or was at the same time under the age of thirteen years, or that the pe-

titioner and the respondent are cohabiting as man and wife, or if the Court is satisfied by the evidence adduced that the respondent is ready and willing so to cohabit with the petitioner, the Court shall pass a decree dismissing the suit, and stating the ground of such dismissal.

24. If at any time after a decree dismissing the suit upon any of the grounds mentioned in the last Revival of suit after such dismissal. preceding Section, the respondent again desert or repudiate the petitioner upon the ground of his or her change of religion, the suit may be revived by summoning the respondent; and upon proof of the former decree and of such renewed repudiation or desertion, the suit shall recommence at the stage at which it had arrived immediately before the passing of such decree; and after the proofs, interrogations, interviews, and adjournments which may then be requisite under the provisions hereinbefore contained, the Judge shall pass a decree of the nature and subject to the proviso mentioned in the twenty-first Section of this Act.

25. If at any stage of the suit it be proved Petitioner's cruelty that the respondent has deserted or repudiated the petitioner or adultery to bar the suit. solely or partly in consequence of the petitioner's cruelty or adultery, the Court shall pass a decree dismissing the suit and stating the ground of such dismissal. A suit dismissed under this Section shall not be revived.

Male petitioner's the time of the institution of the suit two or more wives, he shall make them all respondents; and if at any stage of ents; and if at any stage of the suit it be proved that he is cohabiting one of such wives as man and wife, or that any one of such wives is ready and willing so to co-habit with him, the Court shall pass a decree dismissing the suit and stating the ground of such dismissal. The provisions as to revival contained in the twenty-fourth Section of this Act shall apply, mutatis mutandis, to a suit dismissed under this Section.

Male petitioner's ry again under the provisions of this Act, such remarriage feet status or rights of his Native wife or children.

which they would have had as his lawful wife or legitimate children, or (subject to the provisions hereinafter contained) of any right or interest which she or they would then have had, according to the Native law applicable to her or them, by way of maintenance, dower, inheritance, or otherwise, in case the petitioner had not so married again as aforesaid.

Rights of Native wife in case she and remarried Convert's ried, the respondent (subject to the provisions hereinafter contained) shall succeed, according to the Native law applicable to her, to such interest (if any) in the whole or part of the petitioner's property as she would have been entitled to had she been his senior widow or one of his widows as the case may be.

Intercourse between remarried petitioner and the respondent during remarriage to be deemed adulterous.

Therefore between remarriage to petitioner and the respondent, such intercourse shall be deemed adulterous, and the children (if any) born in consequence thereof shall be illegitimate.

30. After the passing of a decree permitting any such remarriage and the After decree per-mitting petitioner's remarriage, responddismissal of the appeal (if any) against such decree, it shall ent may remarry. be lawful for the respondent also to remarry, and the issue of such remarriage shall be legitimate, any Native law to the contrary notwithstanding. But upon the On such remarriage respondent's claim on the petitioner's prorespondent's remarriage, all rights and interests which she petitioner's property to cease. or he may then have in the petitioner's property by way of maintenance, inheritance, or otherwise, shall cease and determine as if the respondent had then died; and the petitioner, or, if the petitioner be dead, the persons entitled to such property on the respondent's death, shall thereupon succeed to the same.

31. The celebration of any remarriage
Minister of religion legalized by this Act shall
not bound to celebrate remarriage legalized by this Act.

minister of religion.

Power to Court to sions of this Act, and it appear award alimony. to the Court that the wife has not sufficient separate property to enable her to maintain herself suitably to her station in life and to prosecute or defend the suit, the Court may, pending the suit, order the husband to furnish the wife with sufficient funds to enable her to prosecute or defend the suit, and also for her maintenance pending the suit. If the suit be brought by a husband against a wife, the Court may by the decree order the husband to make such allowance to his wife for her maintenance during the re-

mainder of her life as the Court shall think just, and having regard to the condition and station in life of the parties. Any allowance so ordered shall cease from the time of any subsequent marriage of the wife.

Appeal against orders and decrees under this Act.

An appeal would lie against an order or passed by any Court under the provisions of this Act to any Court to which an appeal would lie against an order or decree made or passed by the former Court in any Civil case. Every such appeal shall be subject to the rules relating to Regular Appeals contained in the Code of Civil Procedure, so far as such rules are applicable to the case.

that are or shall become vested in her Majesty by the Statute 21 and 22 Vic., cap. 106, entitled "An Act for the better Government of India," except the Settlement of Prince of Wales' Island, Singapore, and Malacca. But it may be extended, with the consent of the Governor-General of India in Council, by order of the Governor of such Settlement to all or any part of the territory subject to his Government; and he may, with such consent as aforesaid, determine the Court in which suits against residents in such territory shall be commenced under the provisions of this Act. In case of such extension, if the Indian Penal Code shall not then apply to the said Settlement, the respondent's personal appearance pursuant to this Act may be enforced by such procedure as the said Governor, with such consent as aforesaid, shall provide in that behalf.

THE FIRST SCHEDULE.

Form of Petition.



To the Judge of the Civil Court of The day of 18

The petition of A. B. of Sheweth:—

- 1. That your petitioner was born on or about the day of 18 .
- 2. That your petitioner was on the day of in the year 18 lawfully married to C. D. at
- 3. That the said C. D. is now of the age of years or thereabouts.
- 4. That after his said marriage, your petitioner lived and cohabited with his said wife at aforesaid until the day of
- 18; and that there are now living children, and no more, of such marriage, aged respectively and years.
- 5. That previous to the day of
 18 your petitioner changed his religion for
 Christianity, and that on such day he was baptized
 and became a member of the Church of
- 6. That on the day of 18 [at least six months prior to the date of the petition], the said C. D. deserted your petitioner, and has not since resumed cohabitation with him.
- 7. That such desertion was solely in consequence of your petitioner's said change of religion.

8. That there is no collusion nor connivance between your petitioner and the said C. D.

Your petitioner therefore prays that your Honour will order the said C. D. to live and cohabit with your petitioner, or declare that it shall be lawful for your petitioner to marry again.

Form of Verification.

I, A. B., the petitioner named in the above peti-tion, do declare that what is stated therein is true to the best of my information and belief.

> THE SECOND SCHEDULE. Form of citation.

To C. D. of

Whereas A. B. of Whereas A. B. of claiming to have been lawfully married to you, the said C. D., has filed his petition against you in the Civil Court of

praying that you may be ordered to live and cohabit with him, or that it may be declared that it shall be lawful for him to marry again, and alleging that you the said C. D. have deserted him for six months solely in consequence of his having changed his religion for Christianity: Now this is to command you that, at the expiration of days [at least one month] from the date of the service of this on you, you do appear in the said Court then and there to make answer to the said petition, a copy whereof, sealed with the seal of the said Court, is herewith served upon you.

And take notice that in default of your so appearing you will be liable to punishment under the hundred and seventy-fourth section of the Indian Penal Code.

Dated the day of

> E. F. (Signed) Judge of the Civil Court of

Endorsement to be made after service.

This citation was duly served by G. H. on the within-named C. D. of at on the

day of , 18

(Signed) G. H.

, 18

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill is to legalize under certain circumstances the remarriage of Native Converts to Christianity, whose wives or husbands have deserted or repudiated them exclusively on religious grounds. The question has been before the Government of India for a very long time, but the settlement of it has been delayed, chiefly on account of the great difference of opinion which has proved to exist between the religious bodies and persons most strongly interested in the matter as to the circumstances under which the remarriage of a Convert, before the death of the first wife or husband, may be considered permissible.

The present Bill attempts to solve the difficulty by an interposition of the secular power, leaving missionaries and ministers of religion to act on their own views of duty in remarrying their Converts. The secular character of the measure is marked by the recital in the Preamble, that it is no longer expedient to impose penalties on ministers of religion solemnizing such marriages, and by the provision that no minister of religion shall be compellable to avail himself of the liberty permitted by the Bill.

The persons entitled to relief under the Bill are defined as "Native Husbands," and "Native Wives," A "Native Husband" is a married man domiciled in India, being neither a Christian nor a Jew, who shall have completed the age of sixteen years. A "Native Wife" is correspondingly defined, except that the limit of age is thirteen years. It may be convenient, in describing the nature of the measure, to confine the statement to the case

of a Native Husband.

The ground of relief is, in conformity with the draft Bill prepared by Sir Barnes Peacock, the "desertion or repudiation" of the Native husband by the Native wife, when such desertion or repudiation has taken place solely in consequence of the husband's having changed his religion for Christianity. The Bill further follows Sir Barnes Peacock's draft in providing (Section 18) that the wife's refusal or voluntary neglect to cohabit with her husband after his change of religion shall be sufficient evidence of the desertion or repudiation, and also, unless some other cause be shown, that the desertion or repudiation was in consequence of the husband's change of religion.

The mode of relief is by suit for conjugal society. In the course of the suit, many separate interrogatories will be addressed to the Native wife by the Judge for the purpose of conclusively ascertaining her refusal to join her husband, and various private interviews are provided for as means of conciliation. It is only after all these efforts to overcome the wife's distaste have failed, that the Judge may make a decree permitting

the husband to remarry.

The desertion or repudiation must have con-tinued for six months before the commencement of the suit. On the day fixed in the citation for the hearing, the respondent must appear personally, and the petitioner must prove the identity of the parties, the marriage, the age of himself and of his wife, the desertion or repudiation, its cause, and the fact that it occurred six months before the commencement of the suit and has continued ever since. These points being ascertained, the Judge (who will be a High Court Judge in the Presidency Towns, and a Zillah Judge in the Mofussil) will interrogate the respondent, but not necessarily in open Court. If the respondent allege the petitioner's change of religion for Christianity as the sole reason for her declining to cohabit with him, the case will be adjourned for a month, and provisions will be made for a private interview tween the husband and wife, subject only to such conditions as to privacy as may not interfere with the free will of the latter.

At the end of the month the parties will reappear, and the wife will be further interrogated. If she still persist in her refusal, there will be a further adjournment for a year, and at the close of the year, the petitioner will be bound to prove that the desertion or repudiation has continued down to that time. The respondent will then be further interrogated, and arrangements will be made for a second interview. Should this still result in the wife's refusal to join her husband, the Judge will at length make the decree before-mentioned legalizing a remarriage.

The whole time necessarily occupied by these proceedings will be twenty months. Taking into account the preparations for the suit and the time required for the hearings, the entire interval between repudiation and remarriage will probably be about two years. These periods of time are,

however, only inserted in the Bill pro forma, and can be altered in Committee. The further provisions of the Bill which call for special notice are the following :-

Cruelty or adultery proved against the peti-

tioner will bar the suit.

The children of the first marriage retain their personal and proprietary rights, and, if under the age of three years, may remain in their mother's custody until attaining that age. The wife retains the status which she would have had as lawful wife, and forfeits no right to maintenance, dower, or inheritance.

The respondent (the Native wife) is allowed to remarry after the decree permitting the petitioner's remarriage (Section 30); but if she remarries, she forfeits all rights or interests she may have in

the petitioner's property.

If the wife has not sufficient property to maintain herself, the Judge may award alimony to her; and may also order the husband to provide her with funds to prosecute or defend the suit, if she be in need of them.

A Convert married to several Native wives will

have to make them all respondents in the suit.

The provisions of the Bill with reference to Native wives deserted or repudiated by their husbands on religious grounds are the converse of those just recited, with the exception of the last.

The remaining provisions are of a technical

character.

HENRY S. MAINE.

The 29th December 1864.

WHITLEY STOKES, Offg. Asst. Secy. to the Govt. of India, Home Department (Legislative).

HOME DEPARTMENT.

No. 530.

Fort William, the 17th January 1865.

NOTIFICATIONS.

The Reverend Henry Woodward Crofton, Junior Chaplain on the Bengal Establishment, who reported his return to India by the Steamer "Simla" on the 11th instant, has been appointed Chaplain of Rangoon.

No. 531.

The Reverend J. Clough has been transferred from Rangoon to Tonghoo.

No. 569.

The 18th January 1865.

Asistant Surgeon B Reed, H. M.'s 12th Regiment, is appointed to the Medical charge of the Civil Station of Roy Bareilly, in addition to his Regimental duties, from the 15th of December 1864, vice Assistant Surgeon D. C. McFall, who has left the station with his Regiment.

No. 571.

Dr. H. M. Cannon, Inspector of Prisons in Oudh, received medical charge of the Civil Sta-tion of Lucknow from Dr. F. Douglas, M. D., on the forenoon of the 2nd instant.

No. 572.

The 19th January 1865.

Under Section 12 of Act II of 1857, the Governor General in Council is pleased to authorize the affiliation of the Cathedral Mission College to the Calcutta University, with effect from the 1st instant.

No. 573.

Lieutenant A. F. Danvers, District Superintendent of Police, Hurdui, Oudh, returned to his duties on the forenoon of the 28th of November 1864 from leave to Europe.

No. 574.

The Governor General in Council is pleased to appoint the under-mentioned gentlemen to be Fellows of the University of Calcutta:—

Henry Alexander Bruce, Esq., M. D. James Anderson, Esq., M. D. James Peter Brougham, Esq., M. D. N. C. Macnamara, Esq.

No. 575.

The 19th January 1865.

Mr. W. McGregor, Assistant Superintendent, Telegraph Department, Dacca Circle, availed himself of the privilege leave granted to him under orders No. 676 A, dated 11th June 1864, on the 16th of July, and returned to duty on the 15th of September.

No. 576.

The 20th January 1865.

The Governor General in Council is pleased to permit Sir Bobert Montgomery, K. C. B., to resign the Civil Service from the 10 instant.

> R. N. Cust, Offg. Secy. to the Gout. of India.

FOREIGN DEPARTMENT.

JUDICIAL.

No. 26.

Fort William, the 20th January 1865.

Captain H. C. Menzies, Assistant Commissioner, 2nd Class, in the Hyderabad Assigned Districts, is invested with the powers of a Magistrate under Section 22 of Act XXV of 1861.

GENERAL.

No. 104.

The 16th January 1865.

Captain W. Phaire, Assistant Commissioner of Seetapore, in Oudh, obtained privilege leave of absence from the 28th November to the 23rd December last.

No. 105.

Mr. H. Dennys is appointed to officiate as an Extra Assistant Commissioner, 4th Class, in the Central Provinces, during the absence on leave of Pundit Rae Kishen Narain.

His Excellency the Viceroy and Governor General in Council is pleased to direct that the several districts in the Hyderabad Assigned Territory shall, in future, be designated as follows:

Akola District. Oomraotee District. Mehkur District. Woon District.

No. 113.

The resignation, by Captain J. C. Horne, Bengal Staff Corps, of his appointment as Assistant Commissioner in the Punjab, is accepted by the Governor General in Council.

No. 116.

Lieutenant A. Farrer, Assistant Commissioner, 3rd Class, in the Hyderabad Assigned Districts, is appointed to be also Assistant Conservator of Forests, vice Lieutenant R. Bullock.

No. 118.

The services of Mr. T. Monck Mason, Assistant Commissioner in Oudh, are, at his own request, replaced at the disposal of the Bombay Government from the date on which he may be relieved of his

No. 140.

The 19th January 1865.

The resignation by Captain R. Jenkins of his appointment as Assistant to the Governor General's Agent for Central India for Boundary Settlements, notified in G. O. No. 1277, dated 21st September last, is to have effect from the 22nd of May last.

No. 142.

The Governor General in Council is pleased to accept the resignation by Dr. J. C. Campbell of his appointment of Durbar Surgeon at Mysore, and to replace his services at the disposal of the Madras Government.

Dr. A. A. Renton, of the Madras Medical Establishment, is appointed to officiate as Durbar Surgeon at Mysore till further orders.

No. 145. Lieutenant Colonel S. R. Tickell, late Commissioner of Pegu, has been allowed leave of absence for twenty-three days preparatory to retiring from the service.

No. 147.

Captain T. Wakefield, Assistant Commissioner in the Central Provinces, has obtained leave of absence for 39 days, from the date on which he may avail himself of it, to proceed to Calcutta preparatory to applying for further leave to Europe, on medical certificate.

No. 149.

With reference to G. O. No. 1412, dated 6th October last, Captain D. W. Wise, Assistant to the Governor General's Agent for the States of Rajpootana, quitted the Head Quarters of the Rajpootana Agency on the afternoon of the 28th December last.

No. 155.

The 20th January 1865.

The Governor General in Council is pleased to sanction the following promotions in the Oudh Commission:

Lieutenant R. H. de Montmorency, Assistant Commissioner, from the 2nd to the 1st grade, from the 23rd December, vice Captain Shaw, who assumed charge of the Office of Cantonment Magistrate of Lucknow on the 22nd December.

Lieutenant W. Phaire, Assistant Commissioner, from the 3rd to the 2nd grade, from the same date, vice Lieutenant R. H. de Montmorency.

Moonshee Nund Kishore, Extra Assistant Com-

missioner, from the 3rd to the 2nd grade, from the 25th December, vice Moonshee Ramdial, retired on pension from the 24th December.

No. 158.

The services of Mr. W. H. Smith, Officiating Assistant Commissioner in Oudh, are replaced at the disposal of the Government of the North-Western Provinces from the date on which he may be relieved of his duties.

C. U. AITCHISON,

Under Secy. to the Govt. of India.

FINANCIAL DEPARTMENT.

No. 292.

Fort William, the 16th January 1865.

NOTIFICATIONS.

Baboo Khetter Mohun Chatterjee, 4th Assistant Auditor General of India, is allowed one month's privilege leave, in extension of the two months' privilege leave granted to him under Notification No. 3246, dated 15th November 1864.

No. 415.

The 20th January 1865.

In continuation of Notification No. 4244, dated the 30th ultimo, the following Statement of Cash Balances, as reported up to this date, in the Government Treasuries in India, at the close of the month of November last, contrasted with that of the previous years, is published for general information. mation :-

| According to the present limits of the several Governments. | 1862. | 1863. | 1864. |
|--|---|---|---|
| | November. | November. | November. |
| Government of India Bengal N. W. Provinces Punjab Bombay Central Provinces | Rs. 5,87,54,442 1,75,31,717 3,13,54,646 92,29,287 2,52,23,557 45,15,845 | Rs. 3,24,08,602 1,96,82,073 2,76,35,760 92,98,438 1,41,10,900 38,57,104 | Rs. 1,50,29,790 1,54,17,024 2,17,90,508 1,12,89,957 1,57,86,865 44,45,655 |
| Deccan | 10,15,912 | 18,24,012 | 14,23,443 |
| Madras | 2,08,64,396 | 2,62,64,966 | 1,77,02,015 |
| Total | 16,84,89,802 | 13,50,81,855 | 10,28,85,257 |

E. H. LUSHINGTON, Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Fort William, the 16th January 1865.

No. 61 of 1865.—The under-mentioned Officers having completed 26 years' service, eight years of which were on permanent Staff employ, to be Lieutenant Colonels from the dates specified opposite to their respective names under the Royal Warrant of the 16th January 1861, subject to Her Majesty's approval :-

Bengal Staff Corps.

Major H. C. Adlam Major W. Agnew

... 13th January 1865. ... 14th ditto

No. 62 of 1865 .- The under-mentioned Officer having completed twenty years' service, six years of which were on permanent Staff employ, to be Major from the date specified opposite to his name under the Royal Warrant of the 16th January 1861, subject to Her Majesty's approval:—

Bengal Staff Corps.

Captain (Brevet Major) 12th January 1865.
J. F. Stafford ... 12th January 1865.

No. 63 of 1865.—The under-mentioned Soldier of Her Majesty's service is permitted to reside and draw his pay in India as an out-pensioner of Chelsea Hospital, according to the 23rd clause the Royal Warrant of the 1st July 1848, pending a reference to the Home Authorities as to the amount of his pension :-

Private William Carroll, of Her Majesty's 19th Hussars.

No. 64 of 1865.—The following notification, No. 7, dated 9th instant, issued by the Public Works Department, is re-published in General Orders :-

ESTABLISHMENT.

No. 7.

Fort William, the 9th January 1865. - NOTIFICATIONS.

Paras. 62 to 66 inclusive of Section LVIII of the Military Regulations, relating to tests for

Civil Engineering and Surveying, having been expunged* under the orders of the Government of India in the Military Department, it is hereby notified that the only tests in force for hereby notified that the only tests in force for the admission of Military Officers into the En-gineer Establishment of the Public Works De-partment are those laid down in Chapter II, paras. 34 to 36 of the Public Works Code. Henceforth the names of all Military Officers who Henceforth the names of all Military Officers who have passed those tests will be notified by the Government of India in the Public Works Department; those who pass the ordinary test will be distinguished in the Army List by the letters C. E. against their names, and those who attain the higher standard at the Thomason College, by the letters T. C.

No. 65 of 1865.—The undermentioned outpensioner of the Royal Hospital at Chelsea having been permitted to reside and draw his stipend in

India, payment of pension is to be made and charged accordingly :-

Rate of pension per diem.

Bombardier James Black, late of the 22nd Brigade, Royal Artillery

1s. 01d. one shilling and half penny, from the date on which he ceases to receive Regimental pay.

No. 66 of 1865.—The services of Captain W. Bannerman, of the late 3rd Bombay Native Infantry, are placed at the disposal of the Foreign Department.

The 17th January 1865.

No. 67 of 1865 .- Conductor Charles Owens, promoted by Government General Order No. 1059 of the 26th October 1860, and attached to the Army Commissariat Department as Supernumerary, will take rank according to the date of his warrant as Conductor in the Department, viz., 26th October 1860, and will stand next above Conductor W. F. Hardinge.

No. 68 of 1865 .- The under-mentioned Officer is permitted to proceed to Europe on leave of absence on sick certificate:-

Lieutenant Edmund Calvert | For 12 months Steer, of the late 3rd Madras > under the new European Regiment Regulations.

No. 69 of 1865.—Surgeon John James Clarke, of the Medical Department, in medical charge, 7th Bengal Cavalry, is permitted to proceed to Australia on medical certificate, and to be absent from Bengal on that account for two years under the old Regulations.

No. 70 of 1865.—The following order issued by the Government of Bombay, is confirmed :-

No. 7, dated 4th January 1865.—Granting leave of absence to Europe, on medical certificate, to Major (Brevet Lieutenant Colonel) D. C. Shute, of the late 19th Regi-Native Infantry, ment Deputy Assistant Quarter Master General, Lahore Division

For 20 months under the new Regulations.

No. 71 of 1865.—The under-mentioned Officer has reported his return from England :-

Date of arrival at Bombay.

Colonel J. M. Adye, c. B., of) the Royal Artillery, Deputy
Adjutant General of Royal

30th Oct. 1864.

No. 72 of 1865.—The following Military letter from the Right Hon'ble the Secretary of State for India, No. 389 of the 9th December 1864, is published for general information and guidance :-

MILITARY.

INDIA OFFICE,

No. 389.

London, 9th December 1864.

To His Excellency the Right Hon'ble the Governor General of India in Council.

SIR,-With reference to my letter, dated 23rd November, No. 365, I have now to inform you that the Field Marshal Commanding-in-Chief proposes to issue a General Order to the Officers of the Army on the subject of exchanges of such Officers with Officers of the Staff Corps.

2. It appears desirable to His Royal Highness that Officers of the Staff Corps who wish to exchange should submit with their applications the recommendation and certificate laid down in paragraph 19, page 69 of the Queen's Regulations, to the effect that the exchange does not originate in any Regimental proceeding of any kind, or in any cause affecting the honor and character of the Officer concerned.

3. As, however, Officers of the Staff Corps serve in every variety of position, Civil and Military, His Royal Highness further considers that the "recommendation" in their case should be signed by the Adjutant General of the Army of the Presidency in which they serve, as an evidence of fitness for Line service, and the declaration countersigned by the Commanding Officer, or Head of Department under whose orders they may be at the time of application.

4. Your Government will issue the necessary nstructions for earrying out these views.

I have, &c., (Sd.) C. Wood.

No. 73 of 1865 .- The under-mentioned Soldier is admitted to pension as specified opposite to his name :-

Rs. 14-14-6, fourteen Rupees fourteen annas Private John Lightowler, of and six pie per the East Indian Regiment ... mensem pay-able in India.

The 18th January 1865.

No. 74 of 1865.—The following promotions of Surgeons of the Bengal Medical Department to

the rank of Surgeon Major are made under the provisions of Government General Order No. 507 of the 20th June 1864, subject to Her Majesty's approval :-

| Rank and Names. | From what date. |
|------------------------------------|--------------------|
| Surgeon Geo. Ranken Playfair, M.D | 3rd November 1864 |
| Surgeon Wm. Fullarton Mactier, M.D | 3rd December 1864. |
| Surgeon James Lee, M.D. | 10th January 1865. |
| Surgeon George Banister | 12th January 1865. |
| Surgeon Francis Douglas, M.D | 18th January 1865. |

The 19th January 1865.

No. 75 of 1865.-Her Majesty's 52nd Light Infantry having embarked for England per Ship "Alumbagh" on the 14th ultimo, is struck off the strength of the Bengal Presidency from that

No. 76 of 1865.—Surgeon Major Francis Doug-las, M.D., of the Medical Department, Civil Surgeon, Lucknow, is permitted to proceed to Europe, on private affairs, under the new Regulations for the last residue of the furlough on the same account granted to him in Government General Orders Nos. 203 of the 5th February 1857, and 247 of the 6th April 1863.

No. 77 of 1865.—The under-mentioned Officers are admitted to the Bengal Staff Corps, with effect from the dates specified opposite to their respective names, subject to the confirmation of the Right Hon'ble the Secretary of State for India :-

Captain (Brevet Major) John James Hood Gordon, of Her Majesty's 46th Foot, Commandant, 29th (Punjab) Regiment Native Infantry.

29th May 1861.

Captain Richard Tophan, of Her Majesty's 88th Foot, Commandant, 16th Bengal Cavalry.

19th January 1865.

Ensign Frederick Knowles, of Her Majesty's 19th Foot, 3rd 4th September Squadron Officer, 2nd Bengal Cavalry.

1863.

No. 78 of 1865.—The following promotions are made in the Medical Department under the operations of G. G. O. Nos. 1060 and 1061 of the 23rd December 1864, subject to Her Majesty's approval :-PROMOTIONS.

| Rank and Names. | To what rank promoted. | From what date, | In whose room. |
|---|---|---|--|
| Asst. Surg. William Peskett | Surgeon | 1st April 1863 | Deputy Inspector General of Hospitals A. Wilson, retired. |
| Asst. Surg. Stewart Clark | Ditto | 28th May ,, | Deputy Inspector General of Hospitals J. Balfour, retired. |
| Asst. Surg. Henry Francis Williams, M. D. | Ditto | 10th Sep. " | Deputy Inspector General of Hospitals R. W. Faithfull, deceased. |
| Asst. Surg. James Bedford Allen | Ditto | 8th March 1864 | Surgeon Major A. White, M. D., retired. |
| · 图像图像是一种一种一种一种一种一种一种一种一种一种一种一种一种一种一种一种一种一种一种 | | 15th June " | An augmentation under the provisions of paragraphs 5 and 6 of G. G. O. No. 507 of 1864. |
| | Asst. Surg. William Peskett Asst. Surg. Stewart Clark Asst. Surg. Henry Francis Williams, M. D. Asst. Surg. James Bedford Allen Asst. Surg. Francis Nottidge Mac- | Rank and Names. rank promoted. Asst. Surg. William Peskett Surgeon Asst. Surg. Stewart Clark Ditto Asst. Surg. Henry Francis Ditto Williams, M. D. Asst. Surg. James Bedford Allen Ditto Asst. Surg. Francis Nottidge Mac- | Rank and Names. rank promoted. From what date, promoted. Asst. Surg. William Peskett Surgeon 1st April 1863 Asst. Surg. Stewart Clark Ditto 28th May ,, Asst. Surg. Henry Francis Ditto 10th Sep. ,, Williams, M. D. Asst. Surg. James Bedford Allen Ditto 8th March 1864 Asst. Surg. Francis Nottidge Mac- Ditto 15th June ,, |

ALTERATIONS OF RANK.

| ps r pt. | Ranks and Names. | T | o ra | nk fro | m | In whose room. |
|----------------|--|---------|------|--------|------|--|
| 2 - | Surgeon Frederick Corbyn, M. D | 16th | h M | May 1 | 863 | Surgeon Major R. Whittall, retired. |
| 1 | | 954 | | | 22 | Surgeon Major H. W. Tytler, deceased. |
| | many at the second second second second second | a Sing | h J | une | • | Surgeon N. D. S. Wallich, deceased. |
| I | Surgeon John Hooper | SPACE. | h J | 31,746 | | Surgeon Major Wm. Shillito, F. E. C. S., retired, |
| | Surgeon David Young, M. D., &c. Surgeon Joseph Fayrer, M. D. M. R. C. P. L. &c., &c. | | | | ,, | Surgeon Major H. Diaper, deceased. |
| - | Surgeon William Henry Adley | . 24 | th A | lug. | ** | Surgeon Major A. Grant, retired. |
| | Surgeon Edward John Vivian | . 16 | th S | Sep. | *** | Surgeon Major A. Webb, M. D., deceased. |
| | Surgeon James Alexander Caldwell Hutchin son, M. D. | 1 | th | e 1.31 | " | Surgeon Major T. Thomson, M. D., retired. |
| | Surgeon John Barclay Scriven | . 12 | th (| Oct. | | Surgeon S. G. Bonsfield, retired. |
| | Surgeon Joseph Walter Raleigh Amesbury | . 18 | th J | Dec. | ,,, | Deputy Inspector General of Hospitals M. McN. Rind, deceased. |
| | Surgeon Charles Stewart, M. D., (deceased) | . 20 | th | | | Surgeon Major C. G. Andrews, retired. |
| | Surgeon Edward McKellar | . 20t | h | ,, | | Surgeon Major T. W. Wilson, retired. |
| rtment. | Surgeon Armesley Charles Castriot DeRenzy B. A. | y, 12 | th 1 | March | 1864 | The state of the s |
| epa | Surgeon Alexander Christison, M. D. | 24 | th | " | ,, | Deputy Inspector General of Hospitals W. Thomson, retired. |
| [edical D | Surgeon James Macnabb Cuningham, M. D. | | lst | April | 1864 | Deputy Inspector General of Hospitals J. B. Dickson, retired. |
| N | Surgeon Joseph Christian Corbyn, M. B. | 1 | 8th | " | ** | Surgeon J. W. Mountjoy, retired. |
| | Surgeon George Moncrieff Govan, M. D. | 1 | 5th | June | e. | Mo. 73 of the all-it a major marti- |
| | Surgeon Richard Henry Perkins | | ,, | " | 0.J | and the proof of the strain of the strains |
| 661 | Surgeon Stephen Chapman Townsend | | ,, | -16 | 55 | On augmentation under the provisions of |
| | Control of the second of the s | | ,, | .33 | ** | paragraphs 5 and 6 of Government Genera |
| 100 | The state of the state of the | | " | ** | ,, | Order No. 507 of 1864. |
| | Surgeon William Frederick Blyth Dalzel, M. | D. | " | ** | | |
| | Surgeon Samuel Bowen Partridge, FEL. U. | F 200 5 | 20 | ,, | ,, | J |
| eda | Surgeon Edward Taylor | | 7th | Aug. | ,,, | Surgeon C. Stewart, M. D., deceased. |
| | Surgeon Henry William Spry | 2 | 6th | Sept. | ,, | Surgeon Major G. Paton, M. D., retired. |
| | Surgeon Alfred James Dale, M. B. | - | | Nov | | Deputy Inspector General of Hospitals G. Mann, F. R. C. s., deceased. |
| | Surgeon Arthur Young | 1 | 5th | ,, | ,, | Surgeon Major A. Simpson, M. D., &c., de ceased. |

Memorandum.—Surgeons B. Simpson, M. D. A. B., George Hickie Daly, M. D., Peter O'Brien, F. R. C. S., and George Barnard, promoted to the rank of Surgeon in Government General Orders Nos. 675 and 936 of 1864, will be borne as supernumeraries, pending the instructions of the Secretary of State.

No. 79 of 1865 .- The undermentioned Officers are permitted to proceed to Europe on leave of absence on sick certificate :-

Captain Thomas Wakefield, of the Madras Staff Corps, As-sistant Commissioner, Cen-For 20 months. tral Provinces.

Lieutenant John Mowbray Trotter, of the General List, | For 20 months Infantry, Doing-duty Officer, 24th (Punjab) Regimen,t under the new Regulations. Native Infantry.

The 20th January 1865.

No. 80 of 1865.—The following Extracts from the London Gazettes of the 4th, 15th, and 29th November last, are published for general informa-

> WAR OFFICE, PALL MALL, 4th November 1864.

Brevet.

The under-mentioned Officer having completed the qualifying service in the rank of Lieutenant Colonel, to be Colonel under the Royal Warrant of 14th October 1858:

Captain and Brevet Lieutenant Colonel Henry Hamilton Maxwell, Royal Artillery, dated 23rd May 1864.

WAR OFFICE, PALL MALL, in Laurence very 15th November 1864.

Brevet.

Lieutenant Patrick Cowley, Deputy Commissary, Bombay, to have the honorary rank of Captain, dated 15th November 1864.

Lieutenant Jeremiah Coleman, Deputy Assistant Commissary, Bombay, to have the honorary rank of Captain, dated 15th November 1864.

Deputy Assistant Commissary Patrick McLong-lin, Bombay, to be Lieutenant, the rank being honorary only, dated 15th November 1864.

WAR OFFICE, PALL MALL, 29th November 1864.

Brevet.

The under-mentioned promotions to take place in Her Majesty's Indian Forces consequent on the death of-

Lieutenant General Charles Denis Dun, Madras

Infantry, on the 16th August 1864, and
Lieutenant General George Sandys, Madras
Cavalry, on the 20th October 1864:—

To be Lieutenant Generals.

Major General Robert Hawkes, Bengal Cavalry, dated 17th August 1864.

Major General Archibald Fullerton Richmond, с. в., Bengal Infantry, dated 21st October 1864.

To be Major Generals.

Colonel David Babington, Madras Infantry, dated 17th August 1864.

Colonel William Robert Andrew Freeman, Madras Infantry, dated 21st October 1864.

The undermentioned Officers, who have retired on full pay, to have a step of honorary rank as follows :-

To be Major General.

Colonel James Whistler, c. B., Madras Cavalry, dated 29th November 1864.

To be Lieutenant Colonels.

Major Richard Western, Madras Infantry, dated 29th November 1864.

Major Alexander Campbell McNeill, Madras Staff Corps, dated 29th November 1864.

To be Majors.

Captain Charles Plowden St. John Bengal Infantry, dated 29th November 1864.

Captain Robert Maxwell, Bengal Infantry, dated 29th November 1864.

Captain George Oliver Geach, Bombay Infantry, dated 29th November 1864.

No S1 of 1865 .- The leave of absence, on medical certificate, granted to Lieutenant C. E. Benthall, Officiating Adjutant, Lahore Light Horse, in Government General Order No. 1019 of the 14th December 1864, is extended to the 1st November 1864.

No. 82 of 1865 .- The under-mentioned Officers having completed twenty years' service, six years of which were on permanent staff employ, to be Majors, from the dates specified opposite to their respective names, under the Royal Warrant of the 16th January 1861, subject to Her Majesty's approval :-

Bengal Staff Corps.

Captain C. C. Dandridge ... 18th January 1865. Captain H. P. Williams ... Dit.o. Captain (Brevet Major) R. Ditto. C. Cross ...

No. 83 of 1865,-The under-mentioned Warrant Officer is admitted to pension as specified opposite to his name :-

Sub-Condr. William Asher, of the Army Commissariat Sergeant Major, Department Sergeant Dayable in Europe. Department

No 84 of 1865 .- The undermentioned Officer is permitted to proceed to Europe on furlough on private affairs :-

Surgeon Major William Went-worth Hende, M. D., of the For 3 years, under the old Regula-Madras Medical Department, tions, embarking at Bombay. Civil Surgeon of Nagpore.

No. 85 of 1865.—The under-mentioned Officers and Warrant Officer have reported their return from England :-

Date of arrival at Fort William.

Major N. E. Boileau, of the Bengal Staff Corps, Deputy Judge Advocate General,

Peshawur Division.
Major C. E. Mills, of the late
28th Regiment, Native Infantry

Captain R. D. Griffin, of the late 64th Regiment, Native Infantry.

Lieutenant (Brevet Captain) J. H. Tyler, of the late 20th Regiment, Native Infantry. 11th January 1865.

Lieutenant E. G. Clayton, Royal Engineers.

Lieutenant C. H. Garbett, of the General List, Infantry.

Veterinary Surgeon J. Field, of the Bengal Establishment.

Conductor J. Parker, of the Ordnance Commissariat Department.

Lieutenant J. W. Ridgeway, of the General List, Infantry

Lieutenant E. Molloy, of the General List, Infantry Doingduty with the Kamroop Police Regiment. 11th January 1865.

16th January 1865.

No. 86 of 1865.—The under-mentioned Officer is permitted to proceed to Europe on leave of absence on sick certificate:—

Major Hugh Hayley, of the Bengal Staff Corps ... For 20 months.

H. W. NORMAN, Colonel, Secy. to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

Fort William, the 13th January 1865.
NOTIFICATIONS.

Under Section II of Act No. XXII of 1863, entitled "an Act to provide for taking land for works of public utility to be constructed by private Persons or Companies, and for regulating the construction and use of works on land so taken," His Excellency the Viceroy and Governor General in Council is pleased to declare that all reclamations of marshes, swamps, and low-lying land in the Island of Bombay, as well as all recoveries from the sea which have for their object the provision of building space, or space for wharfage, docks, quays, or landing places in the said Island, shall be included among works of public utility within the aforesaid Act.

ESTABLISHMENT.

No. 12.

The 17th January 1865.

Captain B. J. Prior, Officiating Controller, Public Works Accounts, Central Provinces, is granted two months' privilege leave from such date as he may avail himself of the same.

Mr. W. A. Billings, Accountant, 1st Class, will officiate as Controller, 3rd Class, during Captain Prior's absence.

No. 13.

Mr. A. B. Sampson, B. A., Assistant Secretary, Public Works Department, Government of India, is granted one month's privilege leave, with effect from the 16th instant.

No. 14.

Sergeant P. Heyward, Accountant, 3rd grade, attached to the Office of the Accountant General, Public Works Department, is granted six months' leave of absence on private affairs, with effect from the date he may avail himself of the same.

No. 15.

The 18th January 1865.

Baboo Doorgapersaud Mookerjee is re-appointed to the Department of Public Works in the grade of Overseer, 2nd grade, and posted to the North-Western Provinces.

No. 16.

Mr. W. Palmer, Accountant, 2nd Class, and Mr. F. Barnes, Assistant Accountant, 2nd Class, attached to the Office of the Accountant General in this Department, are promoted to be Accountant 1st grade and 2nd grade respectively, with effect from 1st November 1864.

R. STRACHEY, Colonel, R. E. Secy. to the Govt. of India.

ADVERTISEMENTS.

NOTICE.

Great Northern Assam Tea Company, "Limited," in Liquidation.

Shareholders in the above Company are informed that a refund of the allotment fees to the extent of two Rupees and fourteen annas per share, will be made on application to the undersigned.

Shareholders who have not yet received the refund of the calls paid by them, are requested to apply for the same forthwith.

WM. J. JUDGE,

THOS. W. BROOKES,

CALCUTTA, 14th January 1865. Liquidators.

SHERIFF'S OFFICE.

Notice is hereby given that the Criminal Sessions of the High Court of Judicature at Fort William in Bengal in its Ordinary Original Jurisdiction for the year 1865, will be held on the undermentioned dates, viz.:—

1st Criminal Sessions, Thursday, 19th January. 2nd do. do. Friday, 10th March.

2nd Tuesday, 25th April. 3rd do. do. 4th do. do. Monday, 5th June. 18th July. 5th do. do. Tuesday, 6th

6th do. do. Monday, 14th August. 7th do. do. Thursday, 14th September. 8th do. do. Friday, 24th November.

H. Dundas, Sheriff.

12th January 1865.

STOLEN.

The Government Promissory Note No. 2477 of 2425 of 1842-43, for Rs. 500, of the 4 per cent. Loan originally standing in the name of Eshree Pershad, Commissariat Gomashtah, and finally endorsed to the undersigned.

Payment of the above note and interest thereupon has been stopped at the Loan Office, and application is about to be made to Government for the issue of a duplicate number in favour of the proprietor.

HURDUI,
The 16th January 1865.

RAM NARAIN. .



SUPPLEMENT TO

The Gazette of India.

CALCUTTA, SATURDAY, JANUARY 21, 1865.

OFFICIAL PAPERS.

A SUPPLEMENT to the GAZETTE OF INDIA will be published from time to time, containing such Official Papers and information as the Government of India may deem to be of interest to the Public, and such as may usefully be made known.

Non-Subscribers to the GAZETTE may receive the SUPPLEMENT separately on a payment of six Rupees per annum if delivered in Calcutta, or nine Rupees four annas if sent by Post.

No Official Orders or Notifications the publication of which in the Gazette of India is required by Law, or which it has been customary to publish in the Calcutta Gazette, will be included in the Supplement. For such Orders and Notifications the body of the Gazette must be looked to.

Government of India.

FINANCIAL DEPARTMENT.

Municipal Police and Municipal Affairs of the Central Provinces.

From C. Bernard, Esq., Secy. to Chief Commr., Central Provinces, to Secy. to Govt. of India, Financial Dept., dated Nagpore, the 2nd December 1864.

With reference to your Circular No. 2246 of the 31st August last, I am directed by Mr. Temple to submit the following Report on Municipal Police and Municipal affairs generally in the Central Provinces.

2. During the last two years much attention has been directed by this Municipal Funds to Administration to the matters cost of Town Police. which form the subject of the Resolution which your Circular under reply forwards. The result has been that 89 cities and towns and 3 cantonments in the Central Provinces defray the whole cost of their Municipal Police, aggregating Rs. 1,25,960 per annum. The numbers of the Municipal Police thus maintained stand at 1,491 men of all ranks. In some of these towns there are Police Stations or Out-posts of the General Police Force; but the regular Constabulary attached to such Stations and Out-posts are employed on the General Police business of the country, and in no way discharge any of the duties of Town Police. In general terms it may be affirmed that the Regular Police do not do any duty within the towns and cities of the Provinces.

- 3. It cannot be confidently stated that 89 is

 Number of contributing towns subject to revision. In the Central Provinces which ought fairly to bear the cost of their Police from Municipal Funds; for, as above stated, the system of raising Municipal Funds and making Town Police a charge on such Funds, was only introduced into the Central Provinces two years ago. At the outset, the cost of their Police was charged on some small towns which were not fairly able to bear the burden. After investigation, such places were relegated to the category of villages, and were not required to maintain a Municipal Police. In such places there would only be village watchmen beat up.
- 4. When the list of Municipalities was from time to time revised, new towns, whose importance and wealth had been previously under-estimated, were added to the list. Recently a revision of these lists in each district has been ordered, and this revision may possibly result in some small addition to the number of Municipalities given above. But it is not expected that such addition will be large.
- Municipal how expended.

 Municipal Funds and cities are always devoted to the improvement or embellishment of the towns and cities themselves. When a specific cross-road or bridge will confer special advantages on a town, its Municipal Funds contribute to the cost of such a work, but, generally speaking, these Funds, after defraying the cost of the Municipal Police, are expended in or about the towns which raise them.

- 6. In general terms, then, it may be said that the principle that every town and city should pay for its own Police has been for some time past fully in force throughout the Central Provinces.
- 7. In every city and in most towns where funds are raised, there is a Municipal Committee, composed of elected towns-people, who advise concerning the objects on which the funds of their town are to be expended, and supervise, and even administer, all expenditure on works in their towns. Members of these Committees are usually nominated by the Deputy Commissioner. In Nagpore and Jubbulpore only have the inhabitants been found to be sufficiently advanced to elect their own Committees. But it is intended to extend the principle of election to other towns. In these two places, Nagpore and Jubbulpore, the Municipalities are conducted under Act XVIII of 1864.
- S. In the appointment of the Municipal Committees for towns in the interior of districts, the end in view is that all Municipal bodies should have ultimately a control more or less complete over expenditure from the funds they raise. But at present these Committees generally have not acquired the habits of thought and action, and perhaps they do not yet possess sufficient public spirit to enable them to wield with advantage any very extended power over the funds of their towns. But it is hoped that such power may be increased year by year. At present the towns-people take interest in the subject, and are beginning to originate suitable improvements according to the circumstances of the places where they live. Thus it is expected that the germ of self-government in these sort of matters, and of self-dependence generally, may by degrees arise.
- 9. Municipal Funds in the Central Provinces are raised almost every where by town duties. And concerning this mode of raising Municipal Funds, I am to submit the following remarks.
- Town duties are not obnoxious to the objections to which transit duties are so open. Liability to duty is confined, as far as possible, to articles which are imported for actual consumption within a town. Goods in transit are exempt from town duty, so that there may be no perceptible restraint on trade. So very careful has this Administration been to guard against town duties operating in restraint of trade, that whenever a fair is held within a town-duty cordon, the levy of all duty at that town ceases during the currency of the fair.
- 11. Fairs are held at different times of the year Not levied at fairs. in all districts of the Central Provinces at some 65 places. The attendance at these fairs varies from 1,50,000 souls on the largest occasions, to 2,000 or even 1,000 at the petty agricultural fairs. From time to time notices of fairs are published as supplements to the Central Provinces Gazette. Every possible encouragement is given to them by the district

authorities. The booths are arranged in order, temporary road ways are made, Police parties are stationed to prevent thefts, and so on.

- Growing prosperity sale at fairs, is increasing largely. Last year the aggregate value of articles exposed for sale at fairs, is increasing largely. Last year the aggregate value of articles exposed for sale at fairs, of which a report was received, amounted to Rs. 58,85,570-7-3, the value of articles sold to Rs. 36,96,880-7-3. And upon all this no town duty whatever has been or is to be levied. The increasing business of this particular branch of trade may perhaps be held to show that town duties in the Central Provinces, which are levied on local consumption only, do not operate in restraint of those branches and modes of trade to which the people are most accustomed.
- Tariff of duties is not the same in every town of these Provinces; but no tariff can be drawn up or altered without the Chief Commissioner's sanction. Special pains are taken to adjust tariffs so as to tax only local consumption, and so as to cause the least possible amount of trouble and vexation to the importer. Occasionally an individual complaint may be made regarding some item in a tariff, and if on investigation the tariff should appear objectionable, such item is modified.
- 14. But no general complaint from any large section of the community has Absence of dissatisever been preferred, directly or faction with town indirectly, so far as the Chief duties. Commissioner is aware, against town duties. People may occasionally ask to be relieved from paying the duties, just as they would object to any kind of taxation whatever. But in the main it is believed that this (the town duty) mode of raising Municipal Funds is more acceptable to, or less objected to by, the tax-payers than any other form that could be adopt-* Amounting last year to Rs. 3,70,336-14-0 ed. Certainly there is no other tax from which an equal amount of Municipal Funds* and expected to amount to Rs. 4,40,000 this year. could be raised with so little dissatisfaction on the part of the tax-payers. If the towns-people were to offer to raise the same amount in some other way, doubtless such proposition would be worthy of consideration. But, so far as is yet known, no such change would be preferred by the people. And until some preference shall be evinced, it may be best to leave well alone. The attention of all Commissioners and Deputy Commissioners has, however, been directed to the subject, so that if the people shall show any desire for another mode of raising the money, their wishes, if fair and reasonable, may be met.
- License duty not ing local income, which is deavailable for Local scribed in the Calcutta Municipal Act, viz., a license duty on persons exercising trades and professions, has, from ancient times, been a source of Imperial Revenue in the districts which formerly composed the late Province of Nagpore, and in Sumbulpore. The Pandree tax, which, after revision, is expected to yield to the Imperial Revenue Rs. 2,25,000 a year, is in effect a license duty on trades and professions. This item of revenue is purely exceptional, and is kept up merely because it has always existed and because

it is unobjectionable in principle. The Chief Commissioner does not wish to give it up to the Local Funds, but to keep it for the General Treasury. But though this is paid without objection in some districts by virtue of custom and prescription, it by no means follows that the measure could be safely extended to other districts not accustomed thereto.

16. In the towns of one district of the Central

Funds raised by market dues in Secnee.

Provinces, where the population is purely agricultural, funds for the payment of Municipal Police are raised by market dues.

lice are raised by market dues. Every town and every considerable village in the Central Provinces has its weekly market day, on which wares of all kinds are brought for sale by traders, who make it their business to travel from one market town to another, and by agriculturalists, who have garden, farm, or dairy produce to dispose of. In the Seonee district a small fee, varying from one-twelfth of an anna to four annas, according to the character of the wares, is paid by every trader who brings his goods to market. No fee is levied from poorer classes who bring only grass, firewood, or forest fruits to market. It has been suggested that this system of raising funds

Proposed extension of that system. that this system of raising funds for purely local purposes might with advantage be extended to other districts, and introduced into villages, where

the population, though large, is for the most part agricultural. The Chief Commissioner is awaiting an expression of the opinion of local Officers before he submits for the orders of Government a recommendation on the subject.

17. The concluding paragraphs of the Resolution forwarded with your Circular, point out that any legislative enactment which may be necessary to the full carrying out of the views of Government, might confer on Municipal bodies the power of raising funds for educational purposes. With reference to this observation, I am to submit that many Municipal bodies in the Central Provinces have done something in the cause of

Municipal Committees now provide education by giving buildings for schools, or voting money to assist in building new school-houses. In submitting his views to the Government regarding the legislation which may be required, Mr. Temple will keep in view the necessity of enabling Municipalities to further the cause of education in any way they may think suitable.

18. A report regarding the legislation which may be required, shall be submitted as soon as Mr. Temple shall be in possession of the views of local Officers on the points referred to in this letter.

PUBLIC WORKS DEPARTMENT:

| | | REMARKS. | | | | | | | | | | No return of dis | Tool |
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| | UBIC FOO' | Outlay. | Rs. | 42.24 | 86.32 | 29-27 | 81.96 | 72·13 98·44 | 166.85 | 30.32 47.98 | 77-67 | 1 1 | : |
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| 10 to | CRE IRRIGATED. | Profit. | Rs. | 0.63 | 99.0 | 0.80 | 99.0 | 10.0 | : | 0.24 | 80.0 | 0.46 | 99.0 |
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| | RATE PER | Gross income. | Rs. | 3.54 | 1.88 | 1.18 | 1.05 | 3.02 | 1.92 | 0.49 | . 0.39 | 1.03 | 1.01 |
| | | .sso.I | Rs. | :: | 1 | 1: | : | 679 | 428 | 3,876 | 1: | 1:1 | :: |
| Profit. | | Rs. | 52,227 | 3,28,056 | 92,569 | 1,71,938 | | : | 11,498 | 7,632 | 76,640 | 2,57,592 | |
| | | Expenditure. | Rs. | 1,93,911 | 4,17,059 2 | 43,904 60,256 | 1,04,160 | 7,574 | 15,851 | 11,827 | 29,052 | 1,05,217 | 2,05,752 |
| | | Gross income. | Bs. | 2,46,138 3,98,977 | 6,45,115 | 1,36,473 | 2,76,098 | 6,895 | 14,923 | 23,325 | 36,674 | 1,81,857 | 4,63,344 |
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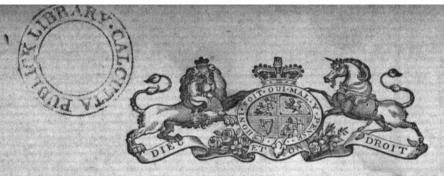
Table showing the results of Irrigation on the Canals in the North-Western Provinces and Punjab for the year 1861-62,—continued.

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The Gazette of India,

EXTRAORDINARY.

published by Authority.

THURSDAY, JANUARY 5, 1865.

No.

NOTIFICATION.

Mome Department.

FORT WILLIAM, THE 5TH JANUARY 1865.

His Excellency the Viceroy and Governor General will hold a Levee for the reception of Native Chiefs and Gentlemen at Government House at 9 p. m. on Saturday, the 14th instant.

All gentlemen purposing to attend will send their cards, with name, rank, and residence legibly written thereon, to the First Aide-de-Camp as soon as they conveniently can, and before the 12th instant, after which date no cards can be received.

They will also bring with them two cards, with name and rank legibly written; one to be given on entrance to Government House, the other at the time of presentation to the Aide-de-Camp in waiting.

All Officers, Civil and Military, and gentlemen who have been presented at His Excellency's Levees, are invited to attend.

The carriages of all who have the private entrée will enter by the South-East Gateway, and set down at the South Entrance of Government House.

All other carriages will enter by the North-East Gateway, set down at the foot of the steps of the Grand Entrance, and pass out by the North-West Gateway.

By command,

MILY. SECY.'S OFFICE, CALCUTTA, The 5th January 1865.

E. C. IMPEY, Captain,

Military Secretary.

Published by order of His Excellency the Viceroy and Governor General,

R. N. CUST,

Offg. Secy. to Govt. of India, Home Dept.



he Gazette of India.

Bublished by Authority.

CALCUTTA, SATURDAY, JANUARY 28, 1865.

Mome Department.

LEGISLATIVE.

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor-General on the 7th January 1865, and is hereby promulgated for general information :-

ACT No. I of 1865.

An Act to authorize the extension of certain Acts and Regulations to Territories not subject to the General Regulations.

WHEREAS it is expedient to authorize the Governor-General of India in Couneil and the Lieutenant-Governors of the North-Western Provinces and the Punjab to extend to Non-Regulation Provinces under the immediate administration of the Government of India, or under the Governments of the Lieutenant-Governor of the North-Western Provinces and the Punjab respectively, certain Acts and Regulations in force at the time of the passing of this Act in parts of British India subject to the General Regulations; It is enacted as follows :

From and after the passing of this Act, it shall be lawful for the Gov-Governor-General ernor-General of India in Counin Council may extend to certain Non-Regu-lation Provinces Acts cil, from time to time, by notification in the Gazette of India, to extend to any Non-Regulaand Regulations not in force there at the passing of this Act. tion Province under the imme-

Government of India the operation of any Act or Regulation, or of any portion of any Act or Regulation, in force at the time of the passing of this Act in any part of British India subject to the General Regulations.

2. From and after the passing of this Act, it shall be lawful for the Lieuten-

Lieutenant-Govern-Lieutenant-Governors of North-West-ern Provinces and Punjab may extend to certain Non-Regula-tion Provinces Acts and Regulations not in force there at the passing of this Act. ant-Governor of the North-Western Provinces as to the Non-Regulation Provinces under his government, and for the Lieutenant-Governor of the Punjab as to the Territories under his

to such Provinces and Territories respectively the operation of any Act or Regulation of the Government of India, or of any portion of any such Act or Regulation, in force at the time of the passing of this Act in any part of British India subject to the General Regulations.

Power to direct by whom the powers incident to the provisions applied under this Act shall be exercised.

Power to direct by community to the provisions of the provisions o last two preceding Sections, the Governor-General of India in Council or the Lieutenant-

Governor making such extension may direct by whom any powers or duties incident to the provisions applied under such Section shall be exercised or performed, and may make any order which shall be deemed requisite for carrying such provisions into operation.

4. From the date of any such extension, so much of any Rule having the force of Repeal of inconsist-ent Rules. of law which shall be in operation in the Territories to which such extension shall have been made, as shall be inconsistent with or repugnant to the enactment whose operation shall have been so extended, shall cease to have effect in such Territories.

5. This Act shall be called "The Acts and Regulations' Extension Act, Short title. 1865."

> WHITLEY STOKES, Offg. Asst. Secy. to the Govt. of India, Home Dept. (Legislative.)

The following Bill was introduced into the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 6th January 1865, and was referred to a Select Committee.

No. 23 of 1864.

A Bill to legalize under certain circumstances the remarriage of Native Converts to Christianity.

Whereas it is expedient to legalize under certain circumstances the remarriage Preamble. of Native Converts to Christianity, deserted or repudiated, on religious grounds, the Official Gazette, to extend by their wives or husbands; and to relieve ministers of religion from the penalties to which they are now liable for solemnizing such remarriages; It is enacted as follows:—

· Short title.

1. This Act may be cited as "The Remarriage of Converts' Act, 1865."

Commencement of Act.

2. This Act shall commence and take effect on and from the first day of December 1865.

3. In this Act-

"Native Husband" shall mean a married man domiciled in British India, who shall have completed the age of sixteen years, and shall neither be a Christian nor a Jew.

"Native Wife" shall mean a married woman domiciled in British India, who shall have completed the age of thirteen years, and shall neither be a Christian nor a Jewess.

"Native Law" shall mean any law, or custom having the force of law, of any persons domiciled in British India other than Christians and Jews.

"Month" and "year" shall respectively mean month and year according to the British calendar.

And, unless there be something repugnant in the subject or context, words importing the singular number shall include the plural, and words importing the plural number shall include the singular.

4. If a Native Husband change his religion for Christianity and if solely in consequence of such change his wife on religious grounds may sue for conjugal society.

Convert deserted by in consequence of such change his Native Wife, for the space of six continuous months, desert or repudiate him, he may sue her for conjugal society.

Convert deserted by her husband on religious grounds may sue for conjugal society.

Christianity and if solely in consequence of such change her Native Husband, for the space of six continuous months, desert or repudiate her, she may sue him for conjugal society.

Court in which suit shall be brought.

Court in which suit within the local limits of the ordinary original civil jurisdiction of any of the High Courts of Judicature, the suit shall be commenced in such Court: otherwise it shall be commenced in the principal Civil Court of original jurisdiction of the District in which the defendant shall reside at the commencement of the suit.

7. The suit shall be commenced by a petition
Suit to be commenced by verified petition.

the case will allow. The statements made in the petition shall be verified by the petitioner in the manner required by law for the verification of plaints; and the petition shall bear a stamp of ten rupees, and may be amended by permission of the Court.

On petition, citation issued to respondent to appear and answer.

Joining the respondent to appear in Court on a day to be named in such citation, not less than one month after the service of a copy thereof on the respondent, and answer whether she or he refuses to cohabit with the petitioner.

9. The citation shall be in the form in the Form of citation. second schedule to this Act or as near thereto as the circumstances of the case will allow.

Service of citation. seal of the Court shall be served on the respondent; and the provisions of the Code of Civil Procedure as to the service and endorsement of summonses shall apply, mutatis mutandis, to citations under this Act.

Procedure where sonally in obedience to such respondent does not appear.

Procedure where citation, and on every other occasion on which the respondent's appearance shall be required under the provisions of this Act, she or he shall be liable to punishment under the hundred and seventy-fourth Section of the Indian Penal Code, and the Court may authorize the Magistrate of the District to proceed under such Section against the respondent.

Points to be proved on appearance of parties.

day fixed in the citation the parties shall appear in Court, and the following points shall be proved:—

(1.) The identity of the parties:

(2.) The marriage between the petitioner and the respondent:

(3.) That the male party to the suit has completed the age of sixteen years, and that the female party to the suit has completed the age of thirteen years:

(4.) The desertion or repudiation of the petitioner by the respondent:

(5.) That such desertion or repudiation was solely in consequence of the petitioner's change of religion;

(6.) And that such desertion or repudiation had continued for the six months next before the commencement of the suit.

First interrogation of respondent.

The Judge, if such points be proved to his satisfaction, shall thereupon ask the respondent whether she or he refuses to cohabit with the petitioner, and, if so, what is the ground of such refusal.

Interrogations may be public or private. Act may, at the discretion of the Judge, take place in open Court or in his private room. If any such interrogation take place in open Court, the Judge may, so long as it shall continue, exclude from the Court all such persons as he shall think fit to exclude.

15.

Adjournment for a month if respondent refuses to co-habit on account of petitioner's conversion.

If the respondent, in answer to the Judge's interrogatories, shall refuse to cohabit with the petitioner, and allege, as the sole ground for such refusal, that the petitioner has changed his or her religion, the Judge shall

make an order adjourning the case for one month, and directing that in the interim the parties shall,

Parties in the in- at such place and time as he terim to have a private interview. shall deem convenient, have a private interview of not less than one hour in length, with the view of ascertaining whether or not the respondent freely and voluntarily persists in such refusal. Such interview shall be subject to any conditions as to privacy which the Judge shall think fit: Provided that no condition which might interfere with the ascertainment of the respondent's wishes respecting such refueal shall be invested. ing such refusal shall be imposed upon such interview.

16. At the expiration of such adjournment,

Second interroga-tion of respondent.

the Judge, again

Adjournment for a year.

the parties shall again appear in Court, and if the respondent, on being interrogated by refuse to cohabit with the petitioner, and allege, as the sole ground for such refusal, the petitioner's change of religion,

the suit shall be adjourned for one year. 17. At the expiration of such adjournment the parties shall again appear in Court, and the petitioner shall prove that the said deser-Point to be proved expiration of adjournment. tion or repudiation had continued up to the time

last hereinbefore referred to.

Proof of the marriage, and the desertion or repudiation of petitioner in conse-quence of conversion.

18. In any such suit, proof of cohabitation as man and wife shall be sufficient presumptive evidence of the marriage of the parties, and proof of the re-spondent's refusal or voluntary

neglect to cohabit with the petitioner, after his or her change of religion and after knowledge thereof by the respondent, shall be sufficient evidence of the respondent's desertion or repudiation of the petitioner, and shall also be sufficient evidence that such desertion or repudiation was solely in consequence of the petitioner's change of religion, unless some other sufficient cause for such desertion or repudiation be proved by the respondent.

19. The provisions of the Code of Civil Pro-

Provisions of Civil Procedure Code as to witnesses to apply in suits under this Act.

cedure, as to the summoning and examination of witnesses shall apply in suits instituted under this Act.

20. If the points mentioned in the twelfth and seventeenth Sections of

On proof of the requisite points, suit to be adjourned for a month and parties to have another inter-

this Act shall be proved to the satisfaction of the Judge, he shall adjourn the suit for one month, and direct that in the another interview of such length and subject to

such conditions as he shall think fit.

At expiration of adjournment, if respondent refuse to cohabit, decree to pass permitting petitioner's remarriage.

21. At the expiration of such adjournment the parties shall again appear in Court; and if the respondent on being interrogated by the Judge again refuse to cohabit with the petitioner, and allege the petitioner's conver-

sion as the sole ground for such refusal, the respondent shall be taken to have finally deserted or repudiated the petitioner, and the Judge shall, by a decree under his hand and sealed with the seal of his Court, declare that it shall be lawful for the petitioner to marry again: Provided that it shall not be lawful for the petitioner so to marry any person standing in such a degree of relationship to the respondent as that, if but one of them had been a male, such person and the respondent could not have intermarried.

The parties' child-ren under the age of three years may be delivered to their mother on her applica-

22. If there shall be children of the petitioner and respondent, within the age of three years, in the sole custody or control of their father, or of any person by his authority, it shall be lawful for the

Judge, on the application of their mother, to direct in the decree or by a subsequent order that such children shall be delivered to, and remain in, her custody until attaining such age, subject to such regulations as the Judge shall deem convenient and just.

Dismissal of suit if either party is under the age required by the Act, or if the par-ties are cohabiting, or the respondent is willing to cohabit.

23. If at any stage of the suit it be proved that the male party to the suit is or was at the institution thereof under the age of sixteen years, or that the female party to the suit is or was at the same time under the age of thirteen years, or that the pe-

titioner and the respondent are cohabiting as man and wife, or if the Court is satisfied by the evidence adduced that the respondent is ready and willing so to cohabit with the petitioner, the Court shall pass a decree dismissing the suit, and stating the ground of such dismissal.

24. If at any time after a decree dismissing the suit upon any of the Revival of suit after such dismissal. preceding Section, the respondent again desert or repudiate the petitioner upon the ground of his or her change of religion, the suit may be revived by summoning the respondent; and upon proof of the former decree and of such renewed repudiation or desertion, the suit shall recommence at the stage at which it had arrived immediately before the passing of such decree; and after the proofs, interrogations, interviews, and adjournments which may then be requisite under the provisions hereinbefore contained, the Judge shall pass a decree of the nature and subject to the proviso mentioned in the twenty-first Section of this Act.

25. If at any stage of the suit it be proved that the respondent has desert-Petitioner's cruelty ed or repudiated the petitioner or adultery to bar solely or partly in consequence of the petitioner's cruelty or adultery, the Court shall pass a decree dismissing the suit and stating the ground of such dismissal. A suit dismissed under this Section shall not be revived.

26. If the petitioner, being a male, has at the time of the institution of Male petitioner's cohabitation with one of several wives to the suit two or more wives, he shall make them all respondents; and if at any stage of bar the suit. the suit it be proved that he is cohabiting with one of such wives as man and wife, or that any one of such wives is ready and willing so to cohabit with him, the Court shall pass a decree dismissing the suit and stating the ground of such dismissal. The provisions as to revival contained in the twenty-fourth Section of this Act shall apply, mutatis mutandis, to a suit dismissed under this Section.

Male petitioner's remarriage not to affect status or rights of his Native wife or children.

Which they would have had as his lawful wife or legitimate children, or (subject to the provisions which she or they would then have had, according to the Native law applicable to her or them, by way of maintenance, dower, inheritance, or otherwise, in case the petitioner had not so married again as aforesaid.

Rights of Native wife in case she and remarried Convert's wife survive him. whom he shall have so married, the respondent (subject to the provisions hereinafter contained) shall succeed, according to the Native law applicable to her, to such interest (if any) in the whole or part of the petitioner's property as she would have been entitled to had she been his senior widow or one of his widows as the case may be.

Intercourse between remarried petitioner and the respondent during remarriage to be deemed adulterous.

thereof shall be illegitimate.

29. If during any such remarriage, intercourse take place between the petitioner and the respondent, such intercourse shall be deemed adulterous, and the children (if any) born in consequence thereof shall be illegitimate.

any such remarriage and the After decree permitting petitioner's remarriage, responddismissal of the appeal (if any) against such decree, it shall be lawful for the respondent ent may remarry. also to remarry, and the issue of such remarriage shall be legitimate, any Native law to the contrary notwithstanding. But upon the On such remarriage respondent's claim on the petitioner's prorespondent's remarriage, all rights and interests which she or he may then have in the petitioner's property by way of maintenance, inheritance, or otherwise, shall cease and determine as if the respondent had then died; and the peti-

shall thereupon succeed to the same.

31. The celebration of any remarriage

Minister of religion legalized by this Act shall
not bound to celenot be obligatory on any
brate remarriage legalized by this Act.

tioner, or, if the petitioner be dead, the persons

entitled to such property on the respondent's death,

Power to Court to sions of this Act, and it appear award alimony. to the Court that the wife has not sufficient separate property to enable her to maintain herself suitably to her station in life and to prosecute or defend the suit, the Court may, pending the suit, order the husband to furnish the wife with sufficient funds to enable her to prosecute or defend the suit, and also for her maintenance pending the suit. If the suit be brought by a husband against a wife, the Court may by the decree order the husband to make such allowance to his wife for her maintenance during the re-

mainder of her life as the Court shall think just, and having regard to the condition and station in life of the parties. Any allowance so ordered shall cease from the time of any subsequent marriage of the wife.

*Appeal against orderee made or passed by any deers and decrees under this Act.

Appeal would lie against an order or decree made or passed by the former Court in any Civil case. Every such appeal shall be subject to the rules relating to Regular Appeals contained in the Code of Civil Procedure, so far as such rules are applicable to the case.

Extent of Act. in her Majesty by the Statute 21 and 22 Vic., cap. 106, entitled "An Act for the better Government of India," except the Settlement of Prince of Wales' Island, Singapore, and Malacca. But it may be extended, with the consent of the Governor-General of India in Council, by order of the Governor of such Settlement to all or any part of the territory subject to his Government; and he may, with such consent as aforesaid, determine the Court in which suits against residents in such territory shall be commenced under the provisions of this Act. In case of such extension, if the Indian Penal Code shall not then apply to the said Settlement, the respondent's personal appearance pursuant to this Act may be enforced by such procedure as the said Governor, with such consent as aforesaid, shall provide in that behalf.

THE FIRST SCHEDULE.

Form of Petition.



To the Judge of the Civil Court of The day of 18

The petition of A. B. of Sheweth:—

- 1. That your petitioner was born on or about the day of 18 .
- 2. That your petitioner was on the day of in the year 18 lawfully married to C. D. at
- 3. That the said C. D. is now of the age of years or thereabouts.
- 4. That after his said marriage, your petitioner lived and cohabited with his said wife at aforesaid until the day of 18; and that there are now living children, and no more, of such marriage, aged respectively and years.
- 5. That previous to the day of
 18 your petitioner changed his religion for
 Christianity, and that on such day he was baptized
 and became a member of the Church of
- 6. That on the day of 18 [at least six months prior to the date of the petition], the said C. D. deserted your petitioner, and has not since resumed cohabitation with him.
- 7. That such desertion was solely in consequence of your petitioner's said change of religion.

8. That there is no collusion nor connivance between your petitioner and the said C. D.

Your petitioner therefore prays that your Honour will order the said C. D. to live and cohabit with your petitioner, or declare that it shall be lawful for your petitioner to marry again.

Form of Verification.

I, A. B., the petitioner named in the above peti-tion, do declare that what is stated therein is true to the best of my information and belief.

> THE SECOND SCHEDULE. Form of citation.

To C. D. of

Whereas A. B. of claiming to have been lawfully married to you, the said C. D., has filed his petition against you in the Civil Court of

praying that you may be ordered to live and cohabit with him, or that it may be declared that it shall be lawful for him to marry again, and alleging that you the said C. D. have deserted him for six months solely in consequence of his having changed his religion for Christianity: Now this is to comman! you that, at the expiration of days [at least one month] from the date of the service of this on you, you do appear in the said Court then and there to make answer to the said petition, a copy whereof, sealed with the seal of the said Court, is herewith served upon you.

And take notice that in default of your so ap-earing you will be liable to punishment under the hundred and seventy-fourth section of the Indian Penal Code.

Dated the . day of

(Signed) E. F.

Judge of the Civil Court of

Endorsement to be made after service.

This citation was duly served by G. H. on the within-named C. D. of at on the

, 18 day of

(Signed) G. H.

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill is to legalize under certain circumstances the remarriage of Native Converts to Christianity, whose wives or husbands have deserted or repudiated them exclusively on religious grounds. The question has been before the Government of India for a very long time, but the settlement of it has been delayed, chiefly on account of the great difference of opinion which has proved to exist between the religious bodies and persons most strongly interested in the matter as to the circumstances under which the remarriage of a Convert, before the death of the first wife or husband, may be considered permissible.

The present Bill attempts to solve the difficulty by an interposition of the secular power, leaving missionaries and ministers of religion to act on their own views of duty in remarrying their Converts. The secular character of the measure is marked by the recital in the Preamble, that it is no longer experient to impose penalties on ministers of religion. ters of religion solemnizing such marriages, and by the provision that no minister of religion shall be compellable to avail himself of the liberty permitted by the Bill.

The persons entitled to relief under the Bill are defined as "Native Husbands," and "Native Wives." A "Native Husband" is a married man domiciled in India, being neither a Christian nor a Jew, who shall have completed the age of sixteen years. A "Native Wife" is correspondingly defined, except that the limit of age is thirteen years. It may be convenient, in describing the nature of

the measure, to confine the statement to the case of a Native Husband.

The ground of relief is, in conformity with the draft Bill prepared by Sir Barnes Peacock, the "desertion or repudiation" of the Native husband by the Native wife, when such desertion or repudiation has taken place solely in consequence of the husband's having changed his religion for Christianity. The Bill further follows Sir Barnes Peacock's draft in providing (Section 18) that the wife's refusal or voluntary neglect to cohabit with her husband after his change of religion shall be sufficient evidence of the desertion or repudiation, and also, unless some other cause be shown, that the desertion or repudiation was in consequence of the husband's change of religion.

The mode of relief is by suit for conjugal society. In the course of the suit, many separate interrogatories will be addressed to the Native wife by the Judge for the purpose of conclusively ascertaining her refusal to join her husband, and various private interviews are provided for as means of conciliation. It is only after all these efforts to overcome the wife's distaste have failed, that the Judge may make a decree permitting

the husband to remarry.

The desertion or repudiation must have continued for six months before the commencement of the suit. On the day fixed in the citation for the hearing, the respondent must appear personally, and the petitioner must prove the identity of the parties, the marriage, the age of himself and of his wife, the desertion or repudiation, its cause, and the fact that it occurred six months before the commencement of the suit and has continued ever These points being ascertained, the Judge since. (who will be a High Court Judge in the Presidency Towns, and a Zillah Judge in the Mofussil) will interrogate the respondent, but not necessarily in open Court. If the respondent allege the petitioner's change of religion for Christianity as the sole reason for her declining to cohabit with him, the case will be adjourned for a month, and provisions will be made for a private interview be-tween the husband and wife, subject only to such conditions as to privacy as may not interfere with the free will of the latter.

At the end of the month the parties will re-appear, and the wife will be further interrogated. If she still persist in her refusal, there will be a further adjournment for a year, and at the close of the year, the petitioner will be bound to prove that the desertion or repudiation has continued down to that time. The respondent will then be further interrogated, and arrangements will be made for a second interview. Should this still result in the wife's refusal to join her husband, the Judge will at length make the decree before-mentioned

legalizing a remarriage.

The whole time necessarily occupied by these proceedings will be twenty months. Taking into account the preparations for the suit and the time required for the hearings, the entire interval be-tween repudiation and remarriage will probably be about two years. These periods of time are, however, only inserted in the Bill pro forma, and can be altered in Committee. The further provisions of the Bill which call for special notice are the following:—

Cruelty or adultery proved against the peti-

tioner will bar the suit.

The children of the first marriage retain their personal and proprietary rights, and, if under the age of three years, may remain in their mother's custody until attaining that age. The wife retains the status which she would have had as lawful wife, and forfeits no right to maintenance, dower, or inheritance.

The respondent (the Native wife) is allowed to remarry after the decree permitting the petitioner's remarriage (Section 30); but if she remarries, she forfeits all rights or interests she may have in

the petitioner's property.

If the wife has not sufficient property to maintain herself, the Judge may award alimony to her; and may also order the husband to provide her with funds to prosecute or defend the suit, if she be in need of them.

A Convert married to several Native wives will have to make them all respondents in the suit.

The provisions of the Bill with reference to Native wives deserted or repudiated by their husbands on religious grounds are the converse of those just recited, with the exception of the last.

The remaining provisions are of a technical

character.

HENRY S. MAINE.

The 29th December 1864.

WHITLEY STOKES,

Offg. Asst. Secy. to the Govt. of India,

Home Department (Legislative).

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 20th January 1865, and was referred to a Select Committee, with instructions to make their report thereon in four weeks:—

No. 29 of 1864.

A Bill to define the jurisdiction of the Courts of Civil Judicature in the Central Provinces.

Whereas it is expedient to define the jurisdiction of the Courts of Civil Judicature in the Central Provinces; It is enacted as follows:—

- 1. This Act shall be called "The Central Short title. Provinces Courts' Act, 1865."
- 2. In this Act-

Interpretation clause.

Assistant Commissioner.

"Assistant Commissioner"
shall include Extra Assistant
Commissioner.

Grades of Courts in the Central Provinces, which shall be in addition to any Courts of Small Causes, and to may hereafter be passed, namely:—

(1). The Court of the Tahsildar of the first class.

- (2). The Court of the Tahsildar of the second class.
- (3). The Court of the Assistant Commissioner of the first class.
- (4). The Court of the Assistant Commissioner of the second class.
- (5). The Court of the Assistant Commissioner of the third class.
 - (6). The Court of the Deputy Commissioner.
 - (7). The Court of the Commissioner.
 - (8). The Court of the Judicial Commissioner.
- 4. The Local Government shall have power to declare to which of the said grades any Tahsildar and any Assistant Commissioner belongs.
- Local Government shall also have power to invest such Naib Tahsildars jurisdiction up to rupees fifty.

 Government shall also have power to invest such Naib Tahsildars as it shall think competent, with jurisdiction in suits for money due, whether on bond or other contract, or

for rent, or for personal property, or for the value of such property, or for damages, when the debt, damage or demand does not exceed in amount or value the sum of fifty rupees.

- G. The Court of the Tahsildar of the first class shall have power to try and determine suits of every description not exceeding one hundred rupees in value or amount.
- Jurisdiction of Court of the Tahsildar of the second class shall have power to try and determine suits of every description not exceeding three hundred rupees in value or amount.
- 3. The Court of the Assistant Commissioner of the first class shall have power to try and determine suits of every description not exceeding five hundred rupees in value or amount.
- Jurisdiction of Court of the Second class shall have power to try and determine suits of every description not exceeding one thousand rupees in value or amount.
- Jurisdiction of Court of the Assistant Commissioner of third class shall have power to try and determine suits of Assistant Commissioner of the third class.

 The Court of the Assistant Commissioner of third class shall have power to try and determine suits of every description not exceeding five thousand rupees in value or amount.
- Jurisdiction of Court of the Deputy Commissioner shall have power to try and determine suits of every description exceeding five thousand rupees in value or amount, and to hear appeals from the decisions, and (where an appeal is allowed by the Code of Civil Procedure), from the orders of the Courts of the first, second, third and fourth grades respectively

Jurisdiction of Court of the Commissioner shall have power to hear and determine appeals from the original decisions passed in suits and, where an appeal is allowed by the Code of Civil Procedure or by this Act, from the orders passed by the Courts of the fifth and sixth grades.

Jurisdiction of Court of the Chief Commissioner shall have power to hear and determine applications for a special appeal as provided in the Code of Civil Procedure from the decisions passed in regular appeal by the Deputy

the decisions passed in regular appeal by the Deputy Commissioners and by the Commissioners of Divisions.

Court in which suit shall be instituted in the Court of the lowest grade competent to try it. Provided that no suit cognizable by a Court of Small Causes shall be heard or determined in any other Court having any jurisdiction within the local limits of the jurisdiction of such Court of Small Causes.

Transfer of suits from subordinate Court to Deputy Commissioner's Court.

Transfer of suits instituted in any Court subordinate to him, and to try such suit himself or to refer it for trial to any other such subordinate Court and competent in respect of the value

dinate Court and competent in respect of the value or amount of the suit to try the same.

Commissioner of a Division may order transfer of suits trom one subordinate Court to another.

Commissioner shall be lawful for the Chief Commissioner of a Division to order that the cognizance of any suit or appeal which shall be instituted in any Court subordinate to such Chief Commissioner or Commissioner shall be transferred to any other such subordinate Court commetent, in respect of the

subordinate Court competent, in respect of the value of the subject-matter of the suit or appeal, to try the same.

Saits for immoveable property situate within the limits of different Districts. Division, the suit may be brought in any Court otherwise competent to try it within the jurisdiction of which any portion of such property in suit is situate, but in such case the Court in which the suit is brought shall apply to the Commissioner of the Division for authority to proceed with the same. If the suit is brought in any Court subordinate to the Court of the Deputy Commissioner, the application shall be submitted to the Commissioner of the Division through the Deputy Commissioner to whom such Court is subordinate.

Suits for immoveable property is situate in Districts subject to different Commissioners.

In which the suit is brought is subject, and the Commissioner to which such application is made may, with the concurrence of the Commissioner to which the other District is subject, give authority to proceed with the suit.

Appeal to lie from all decisions except when expressly prohibited.

Regulation or Act for the time being in force, an appeal shall lie from the decisions of the Courts of original jurisdiction to the Courts authorized by this Act to hear appeals from the decisions of those Courts.

Construction of District for the purposes of this District Court as used in Code of Civil Procedure.

Act, and the Court of such Deputy Commissioner shall be deemed the District Court within the meaning of the Code of Civil Procedure.

21. This Act shall commence and come into operation on the day of 186.

STATEMENT OF OBJECTS AND REASONS.

The jurisdiction now exercised by the Civil Courts in the Central Provinces is derived, not from any express provision of law, but from orders passed from time to time by the Executive Government. These orders, bearing a date prior to the passing of the Indian Councils' Act, 1861, their validity, and the proceedings of the Courts established by them, cannot be called in question; but it is felt that the constitution of the Civil Courts in the Central Provinces is not so satisfactory as could be desired; and the Chief Commissioner having requested that the Government of India will be pleased to confer Civil jurisdiction in suits of a small amount upon a class of Officers who have not hitherto exercised any of the functions of a Civil Judge, which cannot be done without a law, it seems desirable that, instead of confining the scope of any Bill introduced to this single object, the opportunity should be taken to place the Civil Courts generally of the Central Provinces on a legal basis similar to that upon which the Courts in British Burmah were placed by Act I of 1863, and to give them a similar legal status. This is the object of the Bill, which follows the form of the British Burmah Act in so far as it defines the jurisdiction of the Courts to which it refers.

H. B. HARINGTON.

The 5th January 1865.

WHITLEY STOKES,

Offg. Asst. Secy. to the Govt. of India

Home Dept. (Legislative.)

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 20th January 1865, and was referred to a Select Committee, with instructions to make their report thereon in six weeks:—

No. 30 of 1864.

A Bill to define and amend the law relating to Marriage and Divorce among the Parsees.

Whereas it is expedient to define and amend the law relating to Marriage and Divorce among Parsees; It is enacted as follows:—

1. This Act may be cited as "The Parsee Marriage and Divorce Act, 1865."

2. In this Act, unless there be something re-Interpretation pugnant in the subject or conclause.

"Parsee" means or applies to a person professing the religion of Zoroaster, and domiciled in British India.

"Priest" includes Dastúr and Mobed.

"Marriage" shall mean a marriage between
Parsees contracted after the
commencement of this Act.

"Section" means a Section of this Act.

"High Court" means the highest Civil Court of appeal in any part of British India.

"Local Government" means the person authorized to administer Executive Government."

"Local Government in any part of British India or the Chief Executive Officer of any part of British India under the im-

Officer of any part of British India under the immediate administration of the Governor General of India in Council when such Officer shall be authorized to exercise the powers vested by this Act in a Local Government.

Words in the singular number include the plural; and words in the plural number "Number" include the singular.

"Gender." Words importing the masculine gender include females.

Requisites to validity of Parsee marriages.

Requisites to validity of Parsee marriages.

Requisites to validity of Parsee marriages of consanguinity or affinity prohibited by common custom among Parsees, and unless such marriages shall be solemnized according to the Parsee form or ceremony called "A'sirvad" by a Parsee Priest in the presence of two or more Parsee witnesses independently of such officiating Priest; and unless, in the case of any Parsee under the age of twenty-one years, the consent of his father or guardian shall have been previously given to such

A. Every marriage shall, within eight days after the solemnization thereof, Registry of marber tained in the Schedule to this Act, in a book to be kept by a Registrar, who shall be some proper person appointed for that purpose by the Parsee Pancháyat of the Zillah or District in which the marriage shall have taken place; and every entry of a marriage in the said book shall, within the space of eight days from the date of such marriage, be signed by the persons following (that is to say), the said Registrar, the contract-

ing parties, the fathers or guardians of such (not being of full age), the Priest solemnizing the marriage, and the witnesses present at the same; and it shall be incumbent upon the contracting parties respectively, if they shall have attained the age of twenty-one years, and upon the father or guardian of such contracting party (if any) as shall not be then of full age, to give notice to the Registrar of the marriage having been so contracted, and to cause the marriage to be duly reigstered in his said book upon payment to him of the fee of two rupees, to the payment of which fee both the said contracting parties shall, in equal proportions, be liable.

twenty-one years at the time of his or her marriage, shall, immediately upon the said entry thereof being so made in the said register, make and subscribe in the presence of the Registrar, the following declaration below the entry of the marriage in the said register:—

"I hereby solemnly declare that the above registry is correct, and that Form of declaration by person martined. The my marriage with did take place as therein mentioned, and was duly solemnized with my consent."

A. B.

Made and subscribed at this day of

before me.

E. F. Registrar.

But no husband or wife not having attained the said age at the time of such marriage shall make or subscribe such declaration.

6. The father or guardian of every Parsee who shall not, at the time of Declaration by his or her marriage, have attained the age of twenty-one years, shall make and subscribe in the presence of the Registrar the following declaration below the entry of the marriage in the said register:—

"I do hereby solemnly declare that the above registry is correct so far as referred by father or guardian.

"I do hereby solemnly declare that the above registry is correct so far as referred by father or gard the particulars therein relating to the said and me, this declarant, and that the marriage therein mentioned was duly solemnized with my consent."

A. B. Father or guardian of C. D.

Made and subscribed at this day of

before me.

E. F., Registrar.

Marriage register to be open for public inspection.

Marriage register to be open for public inspection, and certified extracts therefrom shall, on applicants of two rupees for each such extract; and every such register shall, without further proof, be received in all Courts to which this Act extends as evidence of the truth of the statements therein contained, unless and until the same shall be proved to be false.

- 8. Every person required by this Act to Penalty for omit- make and subscribe any or ting to make declara- either of the foregoing detions. clarations, and wilfully omit-ting or neglecting so to do, shall, on conviction thereof before any Magistrate or other Court having jurisdiction in the place where he may reside, be punished for every such offence with a fine not exceeding one hundred rupees; and every Priest knowingly and wilfully solemnizing any marriage contrary to and in violation of the ninth ction of this Act, shall, on conviction thereof before any such Magistrate or Court, be punished with simple imprisonment for a term which may extend to three months, or with fine which may extend to one hundred rupees, or with both.
- 9. It shall not be lawful for any Parsee to contract any marriage in the Re-marriage save life-time of his or her wife or after divorce unlaw-ful during life-time of husband, except after his or first wife or husband her lawful divorcement from such wife or husband, by sentence of a Pancháyat as is hereinafter provided; and every marriage which may be hereafter contracted contrary to the provisions of this Section shall be deemed void. Every Parsee who shall, during the lifetime of his or her wife or husband, contract any marriage without such lawful divorcement from such wife or husband, shall be subject to the penalties provided in the Indian Penal Code for the offence of marrying again during the life-time of a husband or wife.
- 10. If a Parsee husband or wife shall at any Voidability of mar. time after marriage be transported or deported for the term of his or her natural life riage in case of trans-portation for life. by the sentence of any competent legal tribunal, such marriage shall after the space of one year next following the passing of such sentence, be voidable at the election of or her wife or husband, such election being first duly notified by the said wife or husband to the Pancháyat of her or his place of residence.
- 11. If a Parsee shall have been or be a lunatic Voidability of mar- or of habitually unsound mind riage in case of luna-ey or mental un-riage, such marriage shall be at any time voidable by the Pancháyat of his or her last place of residence at the instance of his or her wife or husband, upon proof, to the satisfaction of the same Panchayat, that the lunacy or habitual unsoundness of mind existed at the time of the marriage and still continues.
- 12. If a Parsee husband or wife shall have been continually absent from Voidability of marhis or her wife or husband for of absence for seven years. the space of seven years, and shall not have been heard of within that time by such his or her wife or husband as being alive, their marriage shall be voidable by the Panchayat of his or her last known domicile at the instance of the said wife or husband of such absent husband wife, upon proof of the aforesaid facts being Made to the satisfaction of the same Panchayat.
- 13. In any case where the husband shall be Voidability of mar-ringes on the ground of impotency. unable to consummate the marriage by reason of impo-tency of a permanent and intency of a permanent and incurable description, or where consummation of the marriage has not taken place in consequence of the wife's malformation, such marriage shall be

voidable by the Pancháyat of his or her last known domicile at the instance of the other party to such marriage, upon proof of the aforesaid facts being made to the satisfaction of the same Panchayat: Provided that the husband shall not set up his own impotency as a ground for nullifying his marriage.

- 14. A marriage in case either of the parties Voidability of mar-riage in case of con-or her religion shall be voidaversion. ble by the Panchavat of his or her last known domicile, at the instance of the other party to such marriage, upon proof of such fact being made to the satisfaction of the same Pancháyat.
- 15. It shall be lawful for any Parsee husband Husband's petition to present a petition to the r dissolution of Panchayat of the proper domifor dissolution of marriage. cile that his marriage may be dissolved, and a divorce granted, on the ground that his wife has, since the celebration thereof, been guilty of adultery; and it shall be lawful for any Wife's petition for dissolution eof mar- Parsee wife to present a petition to the Pancháyat of the proper to the Pancháyat of the proper riage. domicile, praying that her marriage may be dissolved, and a divorce granted, riage. on the ground that, since the celebration thereof, her husband has been guilty of adultery or fornication with any married or unmarried woman, not being a prostitute, or of bigamy coupled with adultery, or of rape, or of an unnatural offence.
- 16. If a Parsee husband treat his Parsee Grounds of judicial wife with such cruelty or per-sonal violence as to render it in separation a mensa the judgment of the Panchayat or other lawful tribunal improper to compel her to live with him, or if his conduct afford her reasonable grounds for apprehending danger to life or serious personal injury, or if a prostitute be openly brought into or allowed to remain in the place of abode of a wife by her own husband, she shall be entitled to demand a judicial separation a mensa et thoro, and her husband shall, in such a case, provide her with separate maintenance, so long as she continues of chaste conduct, according to his means and rank in life; but no divorce shall be granted for cruelty, except in the case specified in the fifteenth Section.
- 17. Applications for divorce or for judicial sepa-Petition for divorce ration on any one of the grounds aforesaid may be made by either or judicial separation. husband or wife by petition to the Panchayat of the town or district in which the respondent resides or last resided, which Pancháyat is hereby authorized and required to hear and determine such petition; and on the said Panchayát's being satisfied of the truth of the allegations contained in such petition, and that the offence therein set forth has not been condoned, and that the said husband and wife are not colluding together to obtain a divorce, and that the petitioner has not connived at, or been party to, the said offence, and that there has been no unnecessary or improper delay in presenting the said petition, and that there is no legal ground why the same should not be granted, then and in such case, but not otherwise, the said Panchayat shall and may decree such divorce or judicial separation accordingly; and where any such application is made by Alimony may be or- the wife, may order the hus-

band or secure to the wife out

of his property such gross or capital sum, or such monthly or periodical payments of money for any term not exceeding her life as, having regard to her own property (if any), her husband's said property, and the conduct of the parties, shall be deemed just, or make any other order in that behalf for alimony, which, regard being had to the circumstances aforesaid, shall be deemed just. And in case any such order shall not be obeyed by her husband, he shall be liable to action upon the same at her suit, and further to be sued by any persons supplying her with necessaries, during the time of such disobedience, for the price or value of such necessaries.

18. Where a husband has deserted or (without lawful cause) ceased to cohabit Petition for restituwith his wife, or shall hereaftion of conjugal rights. ter so desert or (without lawful cause) so cease to cohabit, or where a wife hath deserted or (without lawful cause) ceased to cohabit with her husband, or shall hereafter so desert or (without lawful cause) so cease to cohabit, and the party so deserted or with whom cohabitation hath or shall have so ceased, shall apply to the Pancháyat of the District or place within which the other party may reside, by petition for the restitution of his or her conjugal rights, the said Panchayat shall thereupon proceed duly to cite the party respondent to such petition, and duly to take evidence in that behalf and inquire into the allegations of such petition, and shall, upon being duly satisfied of the truth of the said allegations, and that there is no just ground why the said petition should not be granted, proceed to decree such restitution of conjugal rights accordingly. In case such decree shall not be obeyed by the party against whom it is given, he or she shall be deemed a wrong-doer, and liable in damages thereupon in an action on the case at the suit of the other party.

Parsee Pancháyat of any Town or District nominated and appointed in manner hereinafter mentioned shall have power and authority to hear, determine and adjudicate all cases and questions arising under this Act between Parsee inhabitants of such Town or District.

Pancháyat shall have power to summon and examine both parties and witnesses on oath and its decision shall be final.

Appeal given by Tancháyat shall have power to summon and examine both parties and their witnesses on oath or affirmation; and the decisions of such Pancháyats, if not reversed or altered on the appeal given by

be final, and shall be upheld by all legal tribunals; provided nevertheless that it shall always (after any final decree for a divorce, either by the Pancháyat or upon appeal, or after the expiration of the time hereinafter limited for an appeal, without an appeal, against any such decree for a divorce, having been presented) be lawful for the parties thereby divorced to intermarry together again; and every witness duly summoned, who shall intentionally omit to attend at the time and place specified in such summons, or depart from such place before the time at which it is lawful for him to depart, or who shall intentionally omit to produce or deliver up any document which he may be legally required to produce or deliver up, or who shall refuse to answer any question which he may be legally required to answer, shall, on proof of the facts before any Magistrate or Court having jurisdiction

with respect to the offence, be liable to the punishment provided in Sections 174, 175 and 179 respectively of the Indian Penal Code, and all persons wilfully deposing or affirming falsely in any proceeding before the Pancháyat, shall be deemed to be guilty of the offence of giving false evidence, and shall be liable, on conviction before a competent tribunal, to all the pains and penalties attached thereto.

21. The examination of parties and of witnesses in any cause or proceed-Mode of examinaing under this Act shall be taken orally and openly in and by the Panchayat in the presence and hearing and under the personal direction and superintendence of the said Panchayat; and the evidence of each witness shall be taken down in writing, and the proceedings of the said Panchayat shall be conducted and recorded in the vernacular language by the President, Secretary, or other O.ficer appointed for that purpose by the said Panchayat. And every such examination shall be taken and recorded in the form of a narrative, and when completed shall be read over in the presence of the said Panchayat and of the witness, and also in the presence of the party or parties or their representatives, and certified by the President of the said Panchayat or any member thereof acting as President thereof for the time being. The Panchayat shall record such remarks as it may think material respecting the demeanour of the witness while under examination.

22. When the evidence of a witness is required who is not living in the Town or place where the said Examination of ab-Pancháya: is held, or who is unable from sickness or infirmity or other cause to attend before the said Panchávat, the said Pancháyat may authorize the Pauchayat of the place where the witness may be residing, or any one or more person or persons thereat resident, or may depute thither one or more of its own members or Officers to take down the examination of such witness on interrogatories or otherwise; and every such examination shall be taken down in writing, and shall be read over to and shall be duly certified by the persons so authorized to take the same; and shall form part of the record of the cause or proceeding in which it is taken. In every such case either party shall be entitled to be present in person or by representative at much examination.

Appeal to High Court on the ground of the decision being contrary to some law, or usage having the force of law, or of a substantial error or defect in the investigation of the case which may have produced error or defect in the decision of the case upon the merits, or of any grave misconduct of the Pancháyat in relation to any of the matters aforesaid; provided that such appeal be instituted within three months after the decision of the Pancháyat shall have been pronounced.

On appeal, record and papers to be sent to High Court in conformity with the provisions contained in the twentythird Section, the Pancháyat from whose decision such appeal is preferred shall, upon receiving due intimation thereof, send to the said High

Court, with all practicable despatch, the record of the case, together with all material papers in the cause or proceeding, or such papers as may be specially called for by the High Court in that behalf.

25. Nothing herein contained shall apply to any marriage or ceremony of A ct not to apply to marriage performed before the

marriages solemnized before passing of Act.

passing of this Act, or in any wise affect the same, whether by giving validity thereto, or by invalidating the same. And the validity or invalidity thereof respectively shall be, and continue to be, the same as it was at the time of the passing of this Act.

26. Every application made to a Pancháyat under this Act shall be in writ-Form of application ing and shall be subscribed by to Pancháyat. to Panchayar, the applicant or his or her representative (if any). It shall also be verified at the foot by the applicant in the manner following or to the like effect:—

"I (A B), the applicant named in the above Form of verification. application, do declare that what is stated therein is true, to the best of my information and belief."

27. If any such application shall contain any averment which the person making the verification shall Punishment for making false averments. know or believe to be false, or shall not know or believe to be true, such person shall be subject to punishment according to the provision of the law for the time being in force for the punishment of giving or fabrication of false evidence.

28. The Panchayat for adjudicating cases arising under this Act shall, for Number of Pan-chayat. the Town and Island of Bombay, consist of twelve members, of whom one shall be President, and for other Towns or Districts of such number of members, not exceeding twelve and of whom one shall be President, as the Local Government may see fit to fix; and shall be elected, constituted, and appointed according to such Rules and Regulations, in regard to the qualifications of electors and members and other matters as may be hereafter sanctioned and approved of by the Governor in Council of the Presidency or place: Provided that in the Town and District of Surat the Office of President of of the Pancháyat shall be hereditary in the family

ef Khurshedji Dodabhai deceas-President of Surat ed, Dawur of the Parsees of Pancháyat. Surat, and shall be held by the person who shall for the time being be the senior representative, according to the Parsee law of inheritance, of the said Khurshedji Dodabhái.

29. Any Panchayat duly constituted and appointed as aforesaid shall Pancháyat may alter have power to alter, vary, or amend such rules from time to time, subject to the confirmation of the Local Government, who shall determine and may alter the territorial jurisdiction of each Panchayat, the limits of the jurisdiction so determined or altered being promulagated in the Official Gazette.

30. This Act shall commence and take effect on the first day of July 1865, and shall extend to all the encementand territories which are or may extent of Act. become vested in Her Majesty by the Statute 21 and 22 Vic., cap. 106.

THE SCHEDULE ABOVE REFERRED TO.

| Date and Place of Marriage. | Names of the Hus- band and Wife. | Condition at the time of Marriage. | Rank or Profession. | Age. | Residence. | Names of the Fathers or Guardians. | Rank or Profession. | Signature of the Officiating Priest. | Signatures of the Witnesses. |
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STATEMENT OF OBJECTS AND REASONS.

The object of the present measure is to enforce among the Parsee community the duties and obligations arising out of the marriage union. a decision of her Majesty's Privy Council in 1856, it was ruled that the Supreme Court of Bombay on its ecclesiastical side, had no jurisdiction to entertain suits instituted by a Parsee wife for restitution of conjugal rights or for maintenance. It has been represented by a large number of Parsees, who from character and social position are regarded as leaders by their co-religionists, that bigamy has been introduced into their community, because, since the decision of the Privy Council, there has been no tribunal to vindicate the obligations of marriage, and none with authority to dissolve marriages on adequate cause being shown. Urgent petitions have therefore been addressed to the Government of India and to Her Majesty's Secretary of State for India, praying that, with respect to this most important relation of life, the Parsees may receive the sanction and protection of a legislative enactment.

The present measure renders bigamy by Parsees an offence, and subjects it to the penalties prescribed in the Penal Code. On the other hand it declares the grounds on which divorces may be granted. It gives jurisdiction for the vindication of obligations and duties arising out of marriages and for the dissolution of marriages, to the ancient institution of the Parsee Panchayat. Appeal from the decision of the Panchayats is allowed within a stated time to the High Courts of the respective Presidencies.

The measure has in substance been prepared by representatives of the Parsee community.

H. L. ANDERSON.

The 16th January 1865.

WHITLEY STOKES, , Offg. Asst. Secy. to the Govt of India, Home Department (Legislative).

HOME DEPARTMENT.

No. 601 A.

Fort William, the 12th January 1865.

NOTIFICATIONS.

Mr. Frederick D'Olbert Bullock, appointed by the Secretary of State for India a Member of Her Majesty's Civil Service on the Bengal Establishment, reported this day his arrival at the Sand Heads on the 11th idem.

No. 602.

The 20th January 1865.

Dr. W. R. Rice, Civil Assistant Surgeon of Saugor, is transferred to Jubbulpore in the same capacity.

No. 784.

The 21st January 1865.

The under-mentioned Officers of the Oudh Commission are invested with the powers of a Magistrate, as defined in Section 22 of Act XXV of 1861, in the Province of Oudh :-

Mr. H. Gibson, Assistant Commissioner, 3rd

Class

Lieutenant G. E. Erskine, Ditto. Moonshee Huzaree Lall, Extra Assistant Commissioner, 3rd Class.

No. 785.

The 23rd January 1865.

The Governor General in Council has been pleased to grant to the Reverend Henry Murray, Junior Chaplain on the Bengal Establishment, a furlough to Europe for two years, with effect from the date on which he may avail himself of the same.

No. 786.

The privilege leave of absence for one month, granted by the Lord Bishop of Calcutta to the Reverend John Clough, Chaplain of Rangoon, from the date on which he may avail him elf of the same, is confirmed by the Governor General in Council.

No. 787.

The 24th January 1865.

The Reverend J. W. Young, Junior Chaplain on the Bengal Establishment, who returned to India on the 3rd instant per Steamer "Golconda," is appointed to be Chaplain of Nowgong and Nagode.

No. 789.

The 25th January 1865.

Surgeon J. Wilson, in civil medical charge of Jubbulpore, has obtained one month's preparatory leave from the 15th January, or such date as he may be relieved of his duties, to proceed to Calcutta, for the purpose of obtaining sick leave to Europe.

No. 791.

1st Class Native Doctor Hingun Khan, of the Bilaspore Dispensary, in the Central Provinces, has obtained nine months' leave on medical certificate, from such date as he may avail hin self of the

No. 793.

Cromarty, Civil Surgeon, Tavoy Dr. J. P. made over medical charge of the Jail and Civil Hospital of Tavoy to Native Doctor Shaik Khadim Hoossain, on the forenoon of the 21st December

No. 794.

The Governor General in Council directs the publication, for general information, of the following correspondence with the Secretary of State on the subject of extending the principle of the existing Civil Service Superannuation Rule to Military and Naval Officers in Civil employment, and also to Uncovenanted Officers holding gazetted ap-pointments, and receiving such appointments direct from Government :-

Public Despatch from the Governor General of India in Council, to the Secretary of State,—No. 59, dated Simla, the 15th September 1864.

We have the honor to transmit the accompanying copy of a letter No. 446, dated the 21st of April, from the Government of Bombay, suggesting the expediency of extending the Civil Service Superannuation Rule, contained in Section 29 of the Furlough Regulations of 1855, to Military and Naval Officers in Civil employment, and also to Uncovenanted Officers.

2. This suggestion accords with the recommendation * made * " That the Su-Committee appointed by the preme Government be moved to declare the Lieutenant Governor of retention of Civil ap-pointments by Mili-tary Officers termi-nable after a certain number of years, as in the case of Civi-lians."

Punjab at Lahore for the consideration of certain questions affecting the Civil Service of that Province, a copy of whose Report was forwarded to you

with our Despatch No. 56,

dated the 12th instant.

3. The proposal of the Bombay Government and of the Lahore Committee appears to us to be just, and likely, if adopted, to prove in every way beneficial to the public interests. There seems no reason for supposing that a Rule, which has undoubtedly proved satisfactory in regard to the Covenanted Civil Service, will be less beneficial when applied to other classes of Officers in Civil employment. Having regard, however, to the various ages at which Military and other Officers begin a career of Civil employment, we are disposed to recommend a Rule to the effect that they shall vacate office after a certain ages, rather than shall vacate office after a certain age, rather than to prescribe any fixed period of service. In this respect there is an obvious difference between them and Members of the Covenanted Civil Service. The former may enter upon Civil employment at any period of life, while the latter do so at a fixed and nearly uniform age. Hence a Rule, which suffices for the Covenanted Civil Service would operate very unequally, and in many instances be quite inoperative, with regard to the other classes of public servants employed under the Civil Administration.

4. We would recommend, therefore, that after the age of 55, no Military or Naval Officer in Civil employment, nor any Uncovenanted Civil Servant, shall be appointed to a new office, or be permitted to retain an office which he has held for five years. We would, however, make the Rule subject, as in the case of Covenanted Civil Servants, to special exceptions, which may be recommended by the Local Government, and sanctioned by the Secretary of State.

Public Despatch from the Secretary of State, to the Governor General of India in Council,—(No. 90, dated the 9th December 1864.)

Para. 1.—I have considered in Council your letter dated 15th September (No. 59) 1864, recommending, with reference to a suggestion from the Government of Bombay, that the principle of the existing Civil Service Superannuation Rule be extended to Military and Naval Officers in Civil employment, and also to Uncovenanted Officers; and, in accordance with your recommendation, I authorize you to frame a Notification announcing that, after the age of 55, no Military or Naval Officer, nor any Uncovenanted Servant, shall be appointed to a new office, or be permitted to retain an office which he has held for five years.

2. This Rule will, like the corresponding Rule applicable to Civil Servants, be subject to special exceptions under the authority of the Secretary of

Referring to the above correspondence with the Secretary of State, the Governor General in Coun-cil is pleased to pass the following Rule, which shall be held applicable to all Military and Naval Officers in Civil employment, and to Uncovenanted Officers holding gazetted appointments, and receiving such appointments direct from Government.

After the age of 55 years, no Military or Naval Officer, or Uncovenanted Servant, shall be appointed to a new office in Civil employment, or shall be permitted to retain any such office which he has held for five years and upwards, except in special cases, which are to be referred for the decision of the Right Hon'ble the Secretary of State. This Rule will be applicable to every Military and Naval Officer, and to every Uncovenanted Servant appointed to any Civil office after its promulgation, and to all other Military and Naval Officers and Uncovenanted Servants employed under the Civil Administration at the close of five years from the date of its promulgation.

No. 822.

The 25th January 1865.

The Governor General in Council is pleased to invest the under-mentioned Officer in the Central Provinces with the powers of a Subordinate Magistrate of the 2nd Class, described in Chapter II, Section 22 of Act XXV of 1861:—

Lieutenant A. Bloomfield, Officiating Assistant Commissioner.

No. 823.

The Governor General in Council has been pleased to invest Lieutenant G. E. Fryer, Probationary Assistant Superintendent of Police, in British Burmah, and Officiating Assistant Commissioner, with the powers of a Subordinate Magistrate of the 2nd Class, as described in Section 22 of Act XXV of 1861.

No. 824.

The Governor General in Council has been pleased to invest Lieutenant C. W. Street, Officiating Deputy Commissioner, 4th Class, in British Burmah, with the powers described in Section 1 of Act XV of 1862.

No. 825.

Moung Pai Hlan, Extra Assistant Commissioner, 3rd Grade, British Burmah, is invested with the powers of a Subordinate Magistrate of the 2nd Class, as described in Section 22 of Act XXV of 1861.

No. 826.

Mr. G. E. Burr, Officiating Assistant Commissioner, 3rd Grade, in British Burmah, is invested with the powers of a "Magistrate of the District," described in Section 22 of Act XXV of 1861.

No. 827.

The under-mentioned Officers in British Burmah are invested with the powers of a Subordinate Magistrate of the 1st Class, described in Section 22, Act XXV of 1861 :-

Moung Nga Gau, Extra Assistant Commissioner, 1st Grade.

Phuthootwuy, Extra Assistant Commissioner, 2nd Grade.

Moung Oon, Extra Assistant Commissioner, 1st Grade.

No. 828,

The 26th January 1865.

Mr. Arthur Howell, Under Secretary to the Government of India, in the Financial Department, to be also an Under Secretary in the Home Department.

No. 829.

The under-mentioned Officers of the Oudh Commission are invested with the powers of a Subordinate Magistrate of the 2nd Class, de-scribed in Section 22 of Act XXV of 1861, within the Province of Oudh :--

Mr. H. S. Boys, c. s., Officiating Assistant

Commissioner, 3rd Grade. Mr. A. R. Hutton, Extra Assistant Commissioner, 3rd Grade.

No. 830.

Captain B. M. S. Lloyd, Deputy Commissioner of Toungoo, British Burmah, received charge of the Office of Superintendent of Police at that Station from Captain J. Duval, Superintendent, 1st Grade, on the afternoon of the 30th November 1864.

Captain J. Duval, Superintendent of Police, 1st Grade, is transferred to the Martaban District, in room of Captain Grove, Superintendent of Police,

2nd Grade, proceeding on sick leave to England. Captain J. Duval reached Shwegyeen, and assumed charge of his Office from Captain Grove, on the forenoon of the 4th December 1864.

Captain W. G. Grove left Rangoon for Europe on the 15th December 1864.

Lieutenant C. Poole, Assistant Superintendent of Police, is transferred from the Bassein to the

Toungoo District.
Lieutenant A. Cook, Superintendent of Police, 3rd Grade, is transferred from the Amherst to the Bassein District.

No. 831.

Consequent on the departure to Europe on medical certificate of Captain Grove, Superintendent of Police, 2nd Grade, the following promotions are made in the British Burmah Police, with effect from the 5th December 1864:—
Lieutenant R. Houghton, Assistant Superin-

tendent, to officiate as Superintendent of Police, 3rd Grade.

Mr. W. H. Patterson, 1st Class Inspector, to officiate as Assistant Superintendent.

No. 831 A.

Second Class Native Doctor Ramasawmy, attached to the Jail Hospital at Chindwarra, in the Central Provinces, is dismissed from the service of Government.

No. 831 B.

Dr. L. F. Dickson is appointed to the Medical charge of Chandah, in the Central Provinces, and Dr. H. A. Kidd to the Medical charge of Mundlah under the same Administration.

No. 832.

The 27th January 1865.

Mr. J. E. Hodgson, Sub-Assistant Revenue Surveyor, 1st Class, is transferred from the right to the left bank, Indus, Sindh Survey, from the 1st January 1865.

No. 833.

The Governor General in Council is pleased to direct the following additions to be made to List No. II, published under date the 29th September 1854, of parties authorized to send letters and Official Gazettes bond fide and exclusively on the public service, relating to the business of their respective Departments, without actual payment of postage, but only to the authorities hereinafter named, viz. :-

Commissariat Agents and Non-Commissioned Officers in separate charge of Resting Camps. To their immediate superior, or Quarter Master General, or Assistant or Deputy Quarter Master General, or to the Collectors of neighbouring districts or Commissariat Officers.

R. N. Cust,

Offg. Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

Fort William, the 24th January 1865.

MILITARY.

No. 33.

Captain C. H. Clay, 2nd in Command and Squadron Officer, Deolee Irregular Force, reported his return to India on the 25th November 1864, and received charge of his duties from Captain S. Fellows on the 21st December 1864.

No. 34.

Lieutenant J. R. McK. Homfray, appointed in G. O. dated 11th instant, No. 5, to be Doingduty Officer in the Malwa Bheel Corps, is transferred to the Bhopal Levy as Doing-duty Officer.

POLITICAL.

No. 70.

The Hon'ble D. F. McLeod, c. B., received charge of the Government of the Punjab and its Dependencies from the Hon'ble Sir Robert Montgomery, K. C. B., on the forenoon of the 10th instant.

No. 73.

Captain W. Bannerman, of the late 3rd Bombay N. I., is appointed to be Commissioner for laying down the boundary between the Central India Agency and the Rewah Kanta.

No. 83.

The 27th January 1865.

His Excellency the Viceroy and Governor General in Council is pleased to recognize the appointment of Signor Fortunato Lamauroux as Consul at Calcutta for His Majesty the King of Italy.

GENERAL.

No. 179.

The 24th January 1865.

The under-mentioned Officers of the British Burmah Commission have passed the examination prescribed for Junior Officers of the Commission :-

For the higher Standard.

1. Mr. C. Phillips, Extra Assistant Commissioner.

For the lower Standard.

I. Lieutenant C. O'L. L. Prendergast, Assistant Commissioner, "with credit."

II. Mr. Roderick McLeod, Extra Assistant

Commissioner, "with credit."

III. Lieutenant W. G. Hughes, Assistant Commissioner.

No. 180.

Assistant Surgeon S. T. Heard, M. D., is appointed to the Medical charge of the Nuggur Division in Mysore.

No. 184.

The 25th January 1865.

Lieutenant H. C. A. Szczepanski and Captain H. C. Menzies, appointed in G. O. dated 24th November, No. 1372, to be Assistant Commis-sioners in the Hyderabad Assigned Districts, received charge of their respective Offices on the forenoon of the 20th December 1864.

No. 185.

Lieutenant G. E. Fryer, Officiating Assistant Commissioner in British Burmah, is appointed to be Assistant Secretary to the Chief Commissioner of British Burmah.

No. 187.

Captain T. O. Mayne, Assistant Commissioner, South-West Berar, has obtained fifteen days' leave of absence, from the date on which he may avail himself of it, to proceed to Bombay on urgent private affairs.

No. 189.

Assistant Surgeon G. N. Cheke, in medical charge of the Nipal Presidency, has obtained leave of absence for thirty-four days, from the date on which he may avail himself of it, to proceed to Calcutta, preparatory to applying for furlough to Europe.

No. 205.

The 26th January 1865.

Captain E. B. Sladen, Assistant Commissioner, 1st Grade, in British Burmah, and Officiating Magistrate of Rangoon, is appointed to be Agent to the Chief Commissioner, British Burmah, at Mandalay

The following arrangements are made in con-

Lieutenant C. W. Street, Assistant Commissioner, 2nd Grade, to be Assistant Commissioner, 1st Grade.

Lieutenant W. W. Pemberton, Assistant Commissioner, 3rd Grade, to be Assistant Commissioner, 2nd Grade.

Captain Sladen made over charge of his Office to Mr. G. Hough, Registrar of the Court of Small Causes at Rangoon, on the afternoon of the 3rd January

Mr. G. Hough is invested with the powers of a Magistrate in the district of Rangoon, under Section 22 of Act XXV of 1861.

No. 212.

The 27th January 1865.

The services of Mr. C. U. Aitchison, Under Secretary to the Government of India in the Foreign Department, are placed at the disposal of the Punjab Government from the afternoon of the 26th instant.

Mr. J. W. S. Wyllie, Bombay Civil Service, on sick leave to Europe, is appointed Under Secretary to the Government of India in the Foreign Department.

Mr. A. Colvin, Officiating Under Secretary in the Home Department, is appointed to officiate as Under Secretary in the Foreign Department. Mr. Colvin received charge of his Office from Mr. Aitchison on the afternoon of the 26th instant.

H. M. DURAND, Colonel, Secy. to the Govt. of India.

FINANCIAL DEPARTMENT.

No. 462.

Fort William, the 25th January 1865.

Notifications.

Under Section III of Act XXX of 1854, the Governor General in Council is pleased to direct that, from the date of the receipt of this Notification at Rangoon, the duty upon salt imported by sea into the Provinces which are under the adminis-tration of the Chief Commissioner of British Burmah, shall be levied at the rate of three annas a maund.

No. 468.

Mr. S. G. Wyatt resumed charge of his Office of First Assistant Auditor General of India on the forenoon of the 19th January 1865.

No. 493.

Mr. O. T. Cutter, Superintendent of Government Printing and in charge of the Military Orphan Press, resumed charge of his duties on the 21st instant.

No. 496.

Mr. Pandoorung Gunoba received charge of the Office of Civil Pay Master, Bombay, from Mr. H. A. Mangles on the afternoon of the 13th instant.

No. 498.

Mr. S. G. Wyatt, First Assistant Auditor General of India, is allowed leave of absence to Europe on medical certificate for two years, under Section 11 of the new Rules for leave of absence to Uncovenanted Servants.

Mr. W. E. Gordon, Deputy Auditor and Accountant General, Hyderabad, to officiate as First Assistant Auditor General of India, during the absence of Mr. S. G. Wyatt on leave, or until further orders.

Mr. E. S. Byrne, Chief Assistant in the Office of the Auditor General of India, to officiate as Deputy Auditor and Accountant General, Hyderabad, in the room of Mr. Gordon, or until further orders.

Mr. H. Ronaldson to officiate as Chief Assistant in the Office of the Auditor General of India during the absence of Mr. Byrne, or until further

No. 505.

The 26th January 1865.

Mr. R. W. Lodwick, of the Bombay Civil Service, and Civil Pay Master, Madras, having been allowed by the Government of Bombay to proceed on furlough for three years, made over charge of his Office to his Chief Assistant, Mr. W. Donald, on the afternoon of the 13th instant.

No. 535.

Mr. H. A. Mangles, Civil Pay Master, Bombay, to officiate as Civil Pay Master and Deputy Auditor and Accountant General, British Burmah.

Mr. C. R. Kiernander, Chief Assistant Deputy Auditor and Accountant General, British Burmah, to officiate temporarily as Deputy Auditor and Accountant General, British Burmah, until the arrival of Mr. Mangles.

No. 543.

The 27th January 1865.

Mr. Arthur Howell, who, under the orders of the 13th April 1864, No. 2676, has been officiating as Under Secretary to the Government of India, in the Financial Department, is confirmed in that appointment.

E. H. LUSHINGTON,

Secy. to the Govt. of India.

MILITARY DEPARTMENT.

Fort William, the 24th January 1865.

No. 87 of 1865.—Major John Nelson Thomas, of the late 39th Native Infantry, is allowed furlough in India on private affairs for three years, from the 31st December 1864, under the old Regulations.

No. 88 of 1865 .- The following Military letter from the Right Hon'ble the Secretary of State for India, No. 400 of the 16th ultimo, is published for general information :-

MILITARY.

INDIA OFFICE,

No. 400.

London, 16th December 1864.

To His Excellency the Right Hon'ble the Governor General of India in Council.

SIR,—The under-mentioned Officers and Warrant Officers have been permitted to return to their duty, viz. :-

Major N. E. Boileau.

" S. B. Cookson.
Captain R. D. Griffin.
" J. P. Basevi.
Lieutenant C. H. Garbett.
" P. C. Dalmahoy.

E. G. Clayton. "

G. R. Hennessy. Assistant Surgeon A. R. Waghorn, per Steamer of 20th December.

Conductor J. Woodroffe, " J. Parker.

2. In compliance with his request, Lieutenant Colonel J. T. Walker, Superintendent of the Trigonometrical Survey, has been allowed to return to his duty, proceeding viâ Bombay.

3. The under-mentioned Officers have been

granted extensions of leave for the periods speci-

fied, viz :-

Colonel J. E. Landers, 6 months. Captain T. N. Hunter, 6 "

W. Davison, 6

J. A. Grant, 6

Lieutenant E. F. Fortescue, 6 ,, 23

R. B. Mackenzie, 6 " 23 H. Cowper, 6 25 ,,

H. A. Rooke, E. Y. Walcott, 3 33

6 "

Surgeon E. Campbell, 3 4. The under-mentioned Officers have been permitted to retire from the service from the dates

specified, viz. :-

Major T. Green, from the 10th October 1864. Captain A. P. Mew, from the 24th October

Captain G. C. Bloomfield, from the 24th December 1863.

5. Hospital Steward W. Heffernan has also been permitted to retire from the service from the 29th September 1864.

No. 89 of 1865.—The under-mentioned Officer is permitted to proceed to Europe on furlough on private affairs :-

Lieutenant Colonel Robert) For three years, Napier Raikes, Bengal Infanunder the old try. Regulations.

No. 90 of 1865 .- The Government General Order No. 1069 of the 28th December 1864, appointing Lieutenant M. A. Rowlandson, of the Madras Staff Corps, Adjutant, 41st Madras Native Infantry, to be Quarter Master of the 5th Infantry, Punjab Irregular Force, is, at his own request, cancelled.

No. 91 of 1865.—The under-mentioned Officer is admitted to the Bengal Staff Corps, with effect from the date specified opposite to his name, subject to the confirmation of the Right Hon'ble the Secretary of State for India:

Lieutenant Richard Melville Clifford, of the late 60th Regiment Native Infantry, 3rd Squadron Officer, 16th Bengal Cavalry.

10th March 1863.

No. 92 of 1865.—Lieutenant Colonel S. R. Tickell, of the Bengal Staff Corps, retired from the service from the 15th instant, under Govern-

* See Foreign Depart-ment Notification No. 145, dated 19th instant.

ment General Order No. 28 of 1865, is allowed preparatory leave in extension* to that date.

No. 93 of 1865.—The under-mentioned Warrant Officer is permitted to proceed to Europe on furlough on private affairs :-

Conductor Thomas Wilkins, of the Ordnance Commissariat For three years. Department.

No. 94 of 1865.—The under-mentioned Officers having completed twenty years' service, six years of which were on permanent Staff employ, to be Majors from the dates specified opposite to their respective names, under the Royal Warrant of the 16th January 1861, subject to Her Majesty's approval:-

Bengal Staff Corps.

Captain H. R. Wroughton ... 20th Jan. 1865. Captain (Brevet Major) H. R. Garden Ditto.

Captain J. Williamson Ditto. No. 95 of 1865.—The undermentioned Officers

having completed twelve years' service, four years of which were on permanent Staff employ, to be Captains, from the dates specified opposite to their respective names, under the Royal Warrant of the 16th January 1861, subject to Her Majesty's approval:-

Bengal Staff Corps.

Lieutenant G. B. Stainforth ... 20th Jan. 1865. Lieutenant A. Tulloch Ditto.

The 25th January 1865.

No. 96 of 1865.—The under-mentioned Officer has reported his return from England :-

Date of arrival at Fort William.

Major (Brevet Colonel) J. M.
B. F. Tytler, c. B., of the
Bengal Staff Corps.

No. 97 of 1865.—The under-mentioned Soldiers of Her Majesty's service are permitted to reside and draw their pay in India as out-pensioners of Chelsea Hospital, according to the 23rd clause of the Royal Warrant of the 1st July 1848, pending a reference to the Home Authorities as to the amount of their pensions:

Gunner William Turnbull, of the E. Battery, F. Brigade, Royal Artillery.

Corporal William Hexter, of the 3rd Battalion Rifle Brigade.

No. 98 of 1865 .- Captain A. H. Prinsep, of the late 4th European Light Cavalry, 3rd Squadron Officer, 4th Punjab Cavalry, is, at his own request, permitted to resign his appointment in the Punjab Irregular Force, and his services are accordingly placed at the disposal of His Excellency the Commander-in-Chief.

No. 99 of 1865.—Lieutenant J. W. Grant, of the late 42nd Native Infantry, Doing-duty Officer, 23rd (Punjab) Regiment, Native Infantry, (Pioneers) is permitted to resign the service, subject to Her Majesty's approval.

No. 100 of 1865.—The discharge with pension of Sergeant Major T. Burrows, of the 15th Regiment Native Infantry, announced in Government General Order No. 1053 of the 20th December 1864, is cancelled as a special case.

No. 101 of 1865.—It has been brought to the notice of Government that Officers returning to England have been sometimes subjected to much inconvenience owing to their last pay certificates having been withheld in consequence of the existence of unadjusted retrenchments against them.

It is accordingly notified, for general informa-tion and guidance, that Officers embarking for England are invariably to be furnished with a form of certificate which will enable the Home Authorities to issue to them the pay and allowances to which they may be entitled.

Any amount which may remain unadjusted in India should be distinctly shown in the certificate, in order that it may be duly recovered in England, unless cause be shown to the contrary.

This order is applicable to the three Presidencies.

The 26th January 1865.

No. 102 of 1865.—The under-mentioned Officers are admitted to the Bengal Staff Corps, with effect from the dates specified opposite to their respect-ive names, subject to the confirmation of the Right Hon'ble the Secretary of State for India:-

Lieutenant Edward George Wace, of the late 33rd Native Infantry, 17th January Assistant Commissioner, Pun-1862. jab.

Lieutenant Lindsay Charles deLorentz Daniell, of the late 30th December 1862. 14th Native Infantry, Quarter Master, 1st Sikh Infantry ...

Lieutenant James Barry Slater, of the late 22nd Native Infantry, Adjutant, 2nd Sikh Infantry.

28th March 1862.

No. 103 of 1865.—The under-mentioned Officer is permitted to proceed to Europe on leave of absence on sick certificate vid Bombay :-

Surgeon Major Charles Archer, M. D., of the Medical Department

For 20 months, under the new Regulations, from the date of his leaving the limits of the Bengal Presidency.

No. 104 of 1865 .- Ensign F. Knowles, of Her Majesty's 19th Foot, 3rd Squadron Officer, 2nd Bengal Cavalry, admitted to the Bengal Staff Corps by Government General Order No. 77 of the 19th instant, will rank as Lieutenant in that Corps, under the operation of paragraph 84 of Government General Order No. 332 of 1861, with effect from the 4th September 1863, subject to Her Majesty's approval.

No. 105 of 1865.—His Excellency the Governor General in Council is pleased to make the following appointments :-

PUNJAB IRREGULAR FORCE.

5th Infantry.

Lieutenant C. E. Stewart, Bengal Staff Corps, Wing Officer, to be 2nd in Command and Wing Officer, vice Major H. Hayley, proceeding to Europe on sick leave, who vacates the appointment under the operation of paragraph 20 of the new furlough regulations.
Lieutenant A. W. C. Read, 51st Foot, Adjutant,

to be Wing Officer, vice Lieutenant Stewart

Lieutenant R. C. S. C. Tytler, General List, Infantry, Doing-duty Officer, to be Adjutant, vice Lieutenant Read.

5th Goorkha Regiment.

Lieutenant J. M. Sym, late 58th Native Infantry, Quarter Master, to be Adjutant, vice Lieutenant J. S. Oliphant, deceased.

Lieutenant A. P. Broome, General List, Infantry, Doing-duty Officer, to be Quarter Master, vice Lieutenant Sym.

No. 106 of 1865.—The under-mentioned Officer having completed five years' service as Major and Brevet Lieutenant Colonel, and as Regimental Lieutenant Colonel, to be Colonel in the Army, from the date specified opposite to his name, under the operation of Clauses 8 and 9 of the Royal Warrant dated 31st January 1859, published in Government General Order No. 740, dated 20th May 1859, subject to Her Majesty's approval.

BREVET.

To be Colonel in the Army.

Lieutenant Colonel George
Samuel Montgomery, of the
Parkey Infantry.

20th December
1864.

No. 107 of 1865.—The following promotions are made in the under-mentioned Corps of the Native Army:—

| Corps. | Rank and Names. | To what rank promoted, | From what date. | In whose room. |
|----------------------------------|-----------------------|------------------------|-----------------|------------------------|
| 19th (The Punjab) Regt. N. I. | Subadar Sobah Singh | Subadar Major | 9th Dec. 1864 | Sirbaz Khan, resigned. |
| | Havildar Sirdar Singh | Jemadar | 1st Oct. " | Dyal Singh, invalided. |

No. 108 of 1865.—His Excellency the Governor General in Council is pleased to make the following appointment:—

Judge Advocate General's Department.

Captain J. C. Horne, of the Bengal Staff Corps, to be a Deputy Judge Advocate General, to complete the Establishment.

No. 109 of 1865.—Lieutenant W. L. P. Drummond, of the Bengal Staff Corps, 2nd Squadron Officer, 11th Bengal Cavalry, is allowed leave of absence from the 25th-December 1864, to date of embarkation to visit Bombay, preparatory to proceeding to Europe on medical certificate.

No. 110 of 1865.—The following order issued by the Government of Bombay is confirmed:—

No. 30, dated 12th January
1865.—Granting leave of
absence to Europe on medical
certificate to Lieutenant W.
L. P. Drummond, of the
Bengal Staff Corps

For 20 months.

The 27th January 1865.

No. 111 of 1865.—The following promotion by Brevet is made under the operation of G. G. O. No. 632 of the 4th August 1864, subject to Her Majesty's approval:—

Brevet.

| Corps. | Rank and Name. | Date from which entitled to the rank of Major. |
|-----------------------|-----------------------------------|--|
| Late 22nd N. Infy. | Brevet Capt. Frederick Duffin. | 29th Dec. 1864. |

No. 112 of 1865.—The under-mentioned Officers having completed 26 years' service, eight years of which were on permanent staff employ, to be Lieutenant Colonels, from the dates specified opposite to their respective names, under the Royal Warrant of the 16th January 1861, subject to Her Majesty's approval:—

Bengal Staff Corps.

Major O. Hamilton ... 24th January 1865. Major A. H. Ternan .. 24th ,,

No. 113 of 1865.—The under-mentioned Student of the Lahore Medical College, having passed the prescribed examination, is admitted into the service as Native Doctor, with effect from the 7th instant, and placed at the disposal of the Brincipal Inspector General, Medical Department:—

Wahabul Shair,

No. 114 of 1865.—Surgeon John Squire, of the Medical Department, is permitted to proceed to sea, Singapore, and Malacca, on medical certificate, and to be absent from Bengal on that account for three months, from the 8th February 1865, under the old Regulations.

> H. W. NORMAN, Colonel, Secy. to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

ESTABLISHMENT.

No. 17.

Fort William, the 24th January 1865.

NOTIFICATIONS.

Notification No. 14 of 17th instant, granting 6 months' leave of absence on private affairs to Sergeant P. Heyward, Accountant, 3rd grade, attached to the Office of Accountant General, Public Works Department, is cancelled at his own request.

R. Strachey, Colonel, R. E. Secy. to the Govt. of India.

No. 18.

The 26th January 1865.

Mr. W. Hutton, Overseer, 2nd grade, is transferred from Bengal to the Lighthouses Division, with effect from the 4th January 1865.

No. 19.

Mr. R. E. Dobbs, Executive Engineer, Bangalore Division, is granted leave of absence on medical certificate from the 2nd to 15th December 1864. He resumed charge of his Office on the 16th idem.

No. 20.

Mr. C. Nuttal, Officiating Controller of Public Works Accounts, Mysore, assumed charge of his duties on the 24th December last.

No. 21.

Baboo Judonath Bhuttacharjee, Accountant, 4th grade, Central Provinces, is granted 2 months' leave of absence on medical certificate, in addition to the 6 months granted him in Public Works Notification No. 192 of 20th July last.

Lieutenant W. P. Tomkins, R. E., Assistant Engineer, 1st Class, British Burmah, is temporarily attached to the Office of the Chief Engineer, British Burmah, with effect from 7th January

E. C. S. WILLIAMS, Captain, R. E. for Secy. to the Govt. of India.

ADVERTISEMENTS.

SHERIFF'S OFFICE.

Notice is hereby given that the Criminal Sessions of the High Court of Judicature at Fort William in Bengal in its Ordinary Original Jurisdiction for the year 1865, will be held on the under-

mentioned dates, viz. :-1st Criminal Sessions, Thursday, 19th January. 2nd do. do. Friday, 10th March. 2nd Tuesday, 3rd do. 25th April. do. 5th June. 4th do. do. Monday,

Tuesday, 18th July. do. 6th do. do. Monday, 14th August. 7th Thursday, 14th September. do. 8th do. do. Friday, 24th November.

H. DUNDAS, Sheriff.

12th January 1865.

do.

5th

WANTED.

An Auditor for the current official year's Accounts of the Medical Retiring Fund. Remuneration Rupees 300.

R. A. FINK, Officiating Secretary.

BENGAL MEDL. RETG. FUND, The 20th January 1865.

TO TIMBER MERCHANTS AND CONTRACTORS, &c.

Oudh Forest Department.

A sale of Sâl logs (about 100,000 cubic feet) cut in 1862-63, will take place at noon on the 2nd of March 1865, at Ghuttea Ghaut, on the Sarda, and afterwards at Dhunara Ghaut, two miles further down stream, near the towns of Madho Sunda, Sherepore, and Poorunpore, in the Shajehanpore district; upset price 8 annas per cubic foot. The timber will be sold in both large and small quantities. The timber can be floated to Byram Ghaut for 3 annas a cubic foot, or, after land carriage of some twenty miles, can be floated down the Kumhout Nuddee to the Ganges, then to Cawnpore, Allahabad, Benares, &c. Estimated cost from Ghauts to Cawnpore, 4½ annas per cubic foot. Tenders for quantities over 1,000 cubic feet, at 8 annas per cubic foot, for cash payment, will be accepted up to date of sale. Terms of sale can be had on application to the advanced. had on application to the undersigned.

E. S. Wood, Captain,

Offg. Consrvr., Oudh Forests.

CAMP, KYREEGURH FOREST, viâ POORUNPORE, ZILLAH SHAJEHANPORE.

NOTICE.

Notice is hereby given that Privilege Transfer Receipts drawn on other Treasuries from this date, (with the exception of Calcutta, for which a different series of Nos. is used,) will bear a higher No. than hitherto used. Commencing with No. 19251. The No. hitherto used was 18600.

> C. CASE, Assistant Commissioner.

FYZABAD TREASURY, 17th January 1865.

REPORT BY THE DIRECTORS OF THE BANK OF BENGAL,

For Half-Year ending 31st December 1864.

The transactions of the Bank for half-year ended 30th June last closed with a Cash Balance of two crores and forty-three lakhs, and with the rates of interest ranging from 61 to 9 per cent. on advances somewhat in excess of two crores and sixteen lakhs.

Throughout July, the money market continued easy without any material change in the Bank's ion. From the middle of that month, however, a marked improvement in the import market position. From the middle of that month, however, a marked improvement in the import market developed itself, and at the same time dealers showed a disposition to make provision for anticipated requirements in connection with the leading staple exports.

The Bank's advances steadily rose, and by the middle of August had reached two crores and eighty-two lakhs, when the Directors raised the rates of Interest and Discount two per cent. all round. Towards the end of September, the rates were again raised one per cent., when the advances touched nearly three crores, and the Cash Balance had gone down sixty-two lakhs as compared with the amount on hand at the close of the preceding half-year.

The high rates of interest ruling in this market in contrast with those in Bombay, attracted specie from that Presidency, and as large remittances were at the same time being imported from England, the Bank's reserve gradually increased towards the latter part of October. Before the close of Novem-

ber it reached upwards of three crores. Early in October, however, Calcutta was overtaken by a cyclone which proved disastrous to the shipping in the river, and as continuous advices of an impending monetary pressure in England, coupled with a great fall in the staple articles of export, reached India by each successive Mail, the local trade

for a time was severely checked. The available surplus capital was in consequence thrown on the market, and money out of doors ruled under the Bank's rates. In order to arrest the downward movement in the Bank's advances, the Directors lowered the rates at each meeting for three weeks in succession one per cent, all round. From a minimum point of two crores and twelve lakhs at the end of November, the Bank's advances steadily and gradually increased to the close of the half-year ending on 31st December last, when the advances and Cash Balances at Head Office and Branches relatively stood at two crores and ninety-five lakhs and

two crores and sixty-seven lakhs.

The result of the half-year's transactions shows a net profit of Rs. 10,80,548-0-5. After setting aside Rs. 1,07,356-1-2 to meet the interest on the subscriptions to new stock paid by Proprietors

since the preceding June, the Directors have appropriated Rs. 9,38,517-15-3, in payment of a dividend at the rate of ten per cent. per annum free of Income Tax, on the increased capital of Rs. 1,87,70,358, and have transferred a balance of Rs. 34,674 to Reserve Fund.

Both stocks are now consolidated, and amount to two crores and twenty lakhs, which, from hence-

forth, will participate equally in the dividends earned.

At 30th June the Bank's investments in the $5\frac{1}{2}$ and 5 per cent. Loans were valued at the then market rate. Early in July, large quantities of these securities from Bombay and London were transferred to this market for realization, and prices receded heavily. With an easier market a rally took place during October and November, but there is again an entire absence of animation in the market. Following the course hitherto adopted, the Directors have equalized the investments with the market value of the day, which is nearly six per cent. under that of the preceding six months. The reserve Fund has been debited with a corresponding amount to meet the depreciation.

The Directors have pleasure in stating that the losses incurred at the Branches since their establish-

ment are very trifling, and that their progress, as a whole, has more than realized their expectations.

With a view to facilitate the circulation of British and Australian Sovereigns and Half-Sovereigns of current weight throughout British India, the Governor General in Council, by Order of 23rd November last, was pleased to direct that they should be received at all the Treasuries in payment of sums due to Government, at the equivalent of ten and five Rupees respectively. due to Government, at the equivalent of ten and five Rupees respectively.

Under Notification of same date, the Governor General in Council directed that Government Currency Notes should be issued at the several Agencies and Circles of the Paper Currency in exchange for Sovereigns and Half-Sovereigns of current weight at the rates of ten and five Rupees respectively, to an extent not exceeding one-fourth of the total issues represented by Coin and Bullion at each Circle.

Although the amount tendered through the General Treasury at the Bank in payment of Government dues has been very limited, the sum taken over the counter in the Banking Department since 1st December is nearly eight lakhs (£80,000). Of this amount, upwards of four lakhs (£40,000) have been told out to be public in exchange for Notes and other demands. The balance is still available at Head Office and Branches.

The publication of the Government Orders had the effect of liberating most of the current gold coins held by importers, when it became apparent to them that they could not calculate on realising beyond the equivalent at which Sovereigns were received and issued by the Bank; but the Directors are not prepared to say that, when present supplies are exhausted, the Notification will be the means of

encouraging the importation of gold in larger quantities than heretofore.

It is, however, undoubted that, as a tentative measure, the introduction of gold under the Govern-

ment Notification has been so far successful, and proved acceptable to the public generally.

The supplies received have been sufficient to maintain the market value of the Sovereign in Calcutta at an almost unvarying quotation of ten Rupees. When the supply at the Bank was temporarily exhausted, and in exceptional cases for small amounts, a trifling premium has, it is understood, been realised. At most of the up-country Branches the market value has also been steadily quoted at ten

Rupees, while the highest reported rate is one anna and six pies premium.

The provison by which one-fourth of the total issues of Currency Notes represented by Coin or Bullion may be held in gold will, the Directors think, prove to be of great importance, especially in

times of pressure.

The combined effect of both orders will, it is hoped, gradually familiarise the native population with the use of Sovereigns as a circulating medium, and pave the way for the introduction of a more enlarged measure hereafter.

Statement of the Affairs of the Bank of Bengal for the Half-year ending 31st December 1864.

| LIABILITIES. | Rs. | A. | P. | ASSETS. Rs. | A. | P. |
|---|-------------|------|----|--|----|----|
| Proprietors' Capital paid up | 1,87,70,358 | 3 15 | 2 | Government Securities, Investment No. 1 31,37,210 | 12 | 0 |
| subscriptions to New Stock | 32,29,641 | L 0 | 10 | Loans on Government Securities at Head Office and Branches 1,60,04,008 | 0 | 0 |
| deserve Fund | 17,67,132 | 2 0 | 4 | Accounts of Credit on Government Securities at Head Office and Branches 17,44,268 Mercantile Bills discounted at Head | 10 | Ô |
| eneral Treasury Balance at Head OfficeRs. 71,70,346 0 8 | | | | Mercantile Bills discounted at Head Office and Branches 1,18,32,186 Dead Stock 3,75,263 Stamps 10,243 | 12 | |
| eneral Treasury Balance at Branches , 85,62,180 3 3 | tyle - | d 10 | | Balances with other Banks 6,69,970 Sundries 8,07,211 | 8 | 9 |
| Other Deposits at Head Office and | 1,57,32,526 | 3 | 11 | 3,45,80,364 | 0 | 0 |
| Branches | 2,00,86,688 | 5 1 | 11 | Treasury Reserve in Coin at Head Office 1,70,346 | 0 | 8 |
| Bank Post Bills, &c | 3,19,174 | 1 15 | 10 | | | |
| Bank Notes outstanding | 3,80,090 | 0 (| .0 | Office Rs.1,91,47,262 2 4 Cash and Currency | | |
| Sundries | 12,04,065 | 13 | 10 | Notes including Treasury Balance at Branches , 75,91,702 0 10 2,67,38,964 | 3 | 2 |
| Total, Rs | 6,14,89,674 | 3 | 10 | Total, Rs 6,14,89,674 | 3 | 10 |

PROFIT AND LOSS ACCOUNT.

| RECEIPTS. | Rs. As. P. | Rs. As. |
|--|---|---|
| mount received in Discount, Interest, and Commission at Head Office and Branches | | 13,50,813 11 |
| DISBURSEMENTS. | | |
| Stablishment at Head Office and Branches | 1,82,342 11 3 2,900 0 0 5,225 0 0 941 14 0 | |
| The second secon | 63,745 3 7 | 2,55,154 12 1 |
| DEDUCT. | | 10,95,658 14 |
| come Tax | | 15,110 14 |
| Net Profit, Rupees | | 10,80,548 0 |
| mount of Dividend declared at 10 per cent, per annum terest due on Subscriptions to New Stock paid in after 30th June last urplus transferred to Credit of Reserve Fund RESERVE FUND. | 9,38,517 15 3 1,07,356 1 2 34,674 0 0 | 10,80,548 0 |
| Part J. 1901. Tar. 1904 | | 1966/1971 1971 - 1971 1971 - 1971 |
| y surplus at Credit of Profit and Loss Account after providing for a Dividend at the rate of 10 per cent. per annum | | 18,92,273 7 34,6*4 0 |
| amount transferred to the Credit of Government Securities to meet depreciation in Investments | 1,29,846 12 0 10,000 0 0 3,028 0 0 16,940 10 8 | 19,26,947 7 1,59,815 6 |
| Balance of Reserve Fun | d | 17,67,132 0 |

Board of Directors (in the Order of Rotation).

Govt. Directors

E. H. LUSHINGTON, Esq., Financial Secretary to the Government of India, President of the Board.

ARTHUR GROTE, Esq., First Member of the Board of Revenue.

R. P. HARRISON, Esq., Accountant and Auditor General to the Government of India.

HENRY DUNDAS, Esq., of Messrs. Shand, Fairlie and Co.

JAMES ROME, Esq., of Messrs. Crooke, Rome and Co.

Hon'ble John N. Bullen, of Messrs. Kettlewell, Bullen and Co.

JOHN SKINNER, Esq., of Messrs. Jardine, Skinner and Co.

JOHN COWIE, Esq., of Messrs. Colvin, Cowie and Co.

STEUART GLADSTONE, Esq., of Messrs. Gillanders, Arbuthnot and Co.

By Order of the Board,

GEO. DICKSON,

Secretary and Treasurer.

BANK OF BENGAL,

Calcutta, the 19th January 1865.

| at. Total Rs. | 16,000 9,55,20,600 | 43,400 | 2,00,500 | 1,31,600 | 16,000 9,58,96,100 | 8,99,900 | 16,000 9,54,96,200 | MOSTS |
|--|---|---|--|---------------------------------------|-----------------------------------|--|-----------------------------------|----------------|
| 4½ per cent of 1856-57. | | | 47944 61346 | į | | 1 | | NOSTREE ON A G |
| 13 per cent. of 1853-54. | 17,600 | | | | 17,600 | : | 17,600 | 2 |
| per cent. Soft | 2,36,23,000 | | 2,00,000 | 61,500 | 2,38,84,500 | 1,80,000 | 2,37,04,50 | |
| 5 per cent. 5½ per cent. 3½ per cent. 4½ per cent. of of 1856-57. 1859-60. 1853-54. 1856-57. | 82,10,900 4,74,75,400 2,36,23,000 | 1 | : | 58,500 | 82,17,400 4,75,33,900 2,38,84,500 | 84,000 | 32,17,400 4,74,49,900 2,37,04,500 | |
| 5 per cent. Public Works of 1854-55. | 32,10,900 | 1 | | 6,500 | 82,17,400 | | | |
| 4 per cent. of 1854-55. | 66,62,600 | | : | 1,200 | 66,63,800 | 83,000 | 65,80,800 | |
| 4 per cent. 4 of 1842-43. | 95,85,000 | 43,400 | : | 3,400 | 96,31,800 | 26,100 | 96,05,700 | |
| 4 per cent. of 1835-36. | 22,89,400 | 7.00 (A) | 200 | 200 | 22,90,400 | 9,500 | 25,70,100 22,80,900 | |
| 4 per cent. 4 per cent. of of of 1824-25. 1828-29. 1832-33. | 25,87,400 | | | | 25,87,400 | 17,300 | | |
| Per cent. 4 per cent. of of 1824-25. 1828-29. | 300 | | | . 1 | 300 | | 300 | |
| 4 per cent. of 1824-25. | 53,000 | 1 | | | 53,000 | | 53,000 | |
| • | Amount brought forward from Statement dated 11th January 1865 | Amount enfaced at Madras, as per Registers received up to date | Amount enfaced at Bombay, as per ditto ditto ditto | Amount enfaced at Calcutta up to date | Total | Deduct— Amount removed from the London Books, as per Registers received up to date | Total | , i |

FORT WILLIAM;
LOAN OFFICE,
The 25th January 1865.

Acctt. Genl. to the Govt. of India.

No. 2.

COMMISSARIAT NOTICE.

Sealed tenders are invited for supply of Beef and Mutton to Troops at Fort William and Dum-Dum, on the March and in Camp, at various distances from the Presidency, for fourteen months, from 1st March next.

Form of tender to be had at No. 6, Park Street, where tenders will be received up to 2 P. M. of the 6th, and opened at noon on the 7th February.

Separate tenders required for each Station.

Earnest deposit to be in Government Promissory Notes, or Bank of Bengal Receipt.

SCHEDULE.

| Names of Articles. | Period for which contract is invited. | Aggregate quantity probably deliverable during the contract. | Where and to whom the articles are deliverable. | Instalments de- liverable and specific time of delivery. | Amount of earnest money to be lodged with tender. | Security to be deposited on acceptance of tender by the Commissary General. | Quality of supply. |
|-----------------------------|---|--|---|--|---|---|--------------------|
| Fort William. Beef Mutton | to 30th April 1866. | lbs. 4,28,500 71,500 | spitals to Command- cal Officers. | sunrise daily, according Indents, &c. | Rupees. | Rupees. | s fed. |
| Dum-Dum. Beef Mutton | From 1st March 1865 to 30th April 1866. | 3,00,000 50,000 | Ration grounds and Hospitals to Command- ing and Medical Officers. | Half an hour before sunrise daily, according to daily Indents, &c. | 8,000 | 10,000 | Best grass fed. |

FORT WILLIAM,

Exe. COMMISSARIAT OFFICE;

The 23rd January 1865.

G. S. MACBEAN, Major,
Assistant Commissary General.

NOTICE.

Whereas it appears to His Excellency the Governor General in Council that land is required to be taken up by Government at the public expense for the public purpose, viz., for the formation of an encampment for Troops, on the junction of the Allahabad and Jounpore roads; the former running north and south, and the latter east and west; it is hereby notified that for the above purpose the following land will be appropriated.

following land will be appropriated.

2nd.—A piece of land 400 yards in length, and
400 in breadth, situated between the villages
Narainpore and Paiajeepore, in the Pergunnah and
District of Sultanpore.

This declaration is made under Section II, Act VI of 1857.

J. Reid, Secy. to the Chief Commr., Oudh.

NOTIFICATION.

Lost or Stolen, a Currency Note for (10) ten Rupees, No. 11801, issued at Allahabad, and bearing date May 8, 1862.

Notice is hereby given to all Officers in charge of Treasuries and all Banks, that payment of the above Note is stopped, and it is requested that the undersigned may be informed of any attempt to cash it.

T. ELLIOT,

Deputy Collector

in charge of Treasury.

GORUCKPOOR, COLLECTOR'S OFFICE, The 18th January 1865.



SUPPLEMENT TO

The Gazette of India.

CALCUTTA, SATURDAY, JANUARY 28, 1865.

OFFICIAL PAPERS.

A SUPPLEMENT to the GAZETTE OF INDIA will be published from time to time, containing such Official Papers and information as the Government of India may deem to be of interest to the Public, and such as may usefully be made known.

Non-Subscribers to the GAZETTE may receive the Supplement separately on a payment of six Rupees per annum if delivered in Calcutta, or nine Rupees four annas if sent by Post.

No Official Orders or Notifications the publication of which in the Gazette of India is required by Law, or which it has been constomary to publish in the Calcutta Gazette, will be included in the Supplement. For such Orders and Notifications the body of the Gazette must be looked to.

Government of India.

PULIC WOKS DEPARTMENT.

Papers relating to Grants for Public Works to Bombay.

From Lieut. Colonel M. K. Kennedy, R. E., Secy. to Govt. of Bombay, in the P. W. Dept., to Secy. to Govt. of India, P. W. Dept.,—No. 222, dated 10th February 1864,

I have the honor to acknowledge the receipt of your Circular No. 63, dated 28th December 1863, in which an allotment is made to this Presidency of 62 lakhs of Rupees for 1864-65, for Imperial Public Works other than new Military works for the accommodation for troops, for which latter separate provision will be made after the necessary information has been obtained.

2. In reply I am directed to submit, for the information of His Excellency the Governor General of India in Council, the accompanying list marked A, of works now actually in progress, for the efficient prosecution of which the sums specified in the list are necessary, and if provided at all, must be met from imperial sources.

3. From this list all original Military works have been excluded, and they are exhibited in a separate list marked B, which is also attached to this letter; for these, as is remarked in your 3rd para separate provision must be made.

para., separate provision must be made.

4. The amount required for the works included in list A is Rs. 46,49,253.

5. To this must be added the sums required for the works enumerated in list marked A I., which, although they are being carried out by this Government, are essentially imperial in their character.

*

*

10. Adding the sums required for these works to those in the list marked A, the total amount required is raised to

 required is raised to
 ...
 Rs. 63,44,720

 Add Reserve
 ...
 6,00,000

 Establishment
 ...
 15,00,000

 Repairs
 ...
 15,00,000

Total ... Rs. 99,44,720 *

11. This sum, for carrying on merely those necessary public works which are actually in progress, without any provision for the very numerous new works which are daily pressed on the attention of this Government, is so far beyond the amount which the Government of India has allotted to this Presidency in your Circular letter under reply, that His Excellency the Governor in Council, feeling the impossibility of making any satisfactory selection from the list of undertakings which are all alike of an urgent character, considers it would be futile, and a mere waste of labor to submit a Budget for them in the usual detailed form; and I am therefore directed to request that if it should be found impossible to increase the assignment which it is proposed to make to this Presidency, the Government of India will be good enough to indicate which particular works should be abandoned or deferred. A Budget for the remaining works will then be prepared and submitted in the usual form.

usual form.

12. The imperial assignment made to this Presidency for the current year amounts to 66½ lakhs, or to 4½ lakhs in excess of the allotment for the ensuing year; and the demand for military accommodation and for works of public improvement is so great, that it became necessary for this Government to submit supplementary estimates to the extent of 48 additional lakhs. If, therefore, the smaller sum which has now been indicated as the probable maximum amount that will be available

in 1864-65 is adhered to, great loss must ensue, as well as stoppage of much material progres

13. If it be objected that the demands of this Government are either large in themselves, or proportionately so in respect to the requirements of other Governments or Administrations, it may be explained that there are several sufficient reasons to account for this circumstance.

1st.—The commercial and agricultural prosperity of this country is such, and its rate of development has of late years been so rapid, that the demands for increased facilities of commu-nication and for reproductive works are very

rgeat, and must be met.

2nd .- The price of all materials and labor has so greatly increased, that 60 lakhs of Rupees will not now do more than that which 30 or 40 lakhs would have effected three years ago; so that to allot no more now than was allotted last year, or the year before, or the year before that, is in fact to retrograde in the face of the plainest indications

retrograde in the face of the plainest indications of the necessity for progress.

3rd.—This Presidency has to meet from the imperial grants accorded to it, extraordinary expenses—such as the defence of Bombay Harbour, the harbour works of Kurrachee and Karwar (Sudashewghur)—all of which are of a special and imperial character; while the aggregate requirement, for these works forms, a very gate requirement for these works forms a very heavy item of the total sum wanted, amounting, as shown in the list A I. now submitted, to no

less than nearly 17 lakhs.

14. His Excellency in Council, therefore, trusts that this Government will not be restricted to the totally inadequate sum which has been assigned in your letter under reply, and that at the very least such means may be placed at his disposal as will enable him, independent of all necessary new works, to carry on with such expedition as is indispensable for proper economy all those useful and necessary works which are set forth in lists A

and A I. as being now in progress.

15. To enable him to do this, as well as to maintain the necessary establishments, and preserve in good and efficient order completed works already in existence, an assignment of say 991 lakhs is absolutely necessary; and to this His Excellency in Council trusts at least 20 lakhs for new works other than Military works will be added from the balances which are believed to be at the disposal of the Government of India for the improvement of the country generally.

16. With regard to the large sum of Rs. 22,58,893 required for Military works in list B, of which Rs. 7,79,943 are for works actually in progress, it is impossible to do more than repeat what has been so often stated, that the large body of European troops now under the Commander-in-Chief of the Presidency has, except at a very few stations, had no adequate provisions for permanent accommodation made for it, such as has been made for the European Garrisons of almost every part of Northern India, Oudh, and the Punjab.

17. At every station under this Presidency, some, and at many all the European Troops are living in barracks which have either been long since condemned, or are incomplete in many of the adjuncts deemed essentially necessary by Military and Medical authorities in these days. Except at very few stations, nothing has been done to provide the European Troops of the Bombay Army with good, permanent, and complete barracks in the style almost universally allowed in the Punjab

and Northern India. For evidence on this point, the Hon'ble the Governor in Council would refer to the reports of His Excellency the present Commander-in-Chief of the Bombay Army, which are in great detail, and refer to nearly every station in this Presidency, and are drawn up by a general officer who is equally well acquainted with what has been done elsewhere, and what is wanting here.

I am to add in conclusion that with the 18. exception of assistance towards the cost of maintenance of communications, no help can be looked for to Local Funds in the way of supplementing imperial grants for any of the works enumerated in the lists now submitted. All local funds' balances, and probable collections, are pledged for several years for the completion of local works

already in hand, or to be speedily undertaken.

19. I am, however, directed to report, that strenous exertions have been made by this Government to prevent the local works of this President of the prevent the local works of the President of the prevent the local works of the President of the prevent the local works of the President of the prevent of dency being such a burden upon the imperial

finances as has heretofore been the case.

20. In all Revenue Settlements in which the faith of Government has not been pledged in a manner to prohibit any additional impost, provision has been made for an extra cess for the construction and maintenance of local public works, and a system of tolls has been introduced which will go far to provide means for covering the cost of repairing local roads already in existence.

21. It will not be possible for some time to state the exact amount of relief that will thus be afforded; but His Excellency the Governor in Council trusts that it will be sufficient to form a very considerable per contra item on the balance sheet of local expenditure.

From Colonel R. Strachey, R. E., Secy. to Govt. of India, P. W. Dept., to Secy. to Govt. of Bombay, in the P. W. Dept.,
No. 1044, dated 4th March 1864.

I am directed to acknowledge your letter No. 222, dated 10th February 1864, representing that the grant of 66½ lakhs provisionally made for Public Works in the Bombay Presidency for 1864-65, is thought by His Excellency the Governor of Bombay in Council to be very inadequate; submitting lists of works now in actual progress; and stating the sums which are deemed requisite for the efficient prosecution of those works and for the provision of funds for other necessary works, establishments, &c., during the ensuing financial

2. The totals of these anticipated requirements

| Civil Works in | nrogre | es havi | · · · | Rs. |
|--------------------------------------|--------|---------|-------|------------------------|
| local character Ditto ditto cons | | | | 46,60,472 |
| imperial character of the Civil Work | eter | | | 16,84,248 20,00,000 |
| ADD— | | Jer beg | | ~0,00,000 |
| Reserve | | | | 6,00,000 |
| Repairs | | | | 15,00,000 |
| Establishments | | | | 15,00,000 |
| Military Works | | | | 22,58,893 |
| Grand | Total | (say) | 赞 | 142 lakhs. |

The Bombay Government expresses an opinion that it will be impossible for it to make any satisfactory selection from the list of undertakings, which are in its estimation all alike of an urgent character, and requests that, if the imperial assignment for public works for Bombay cannot be increased, the Government of India will indicate what particular works should be abandoned or deferred, adding that meanwhile the annual Budget-Estimate will not be submitted.

The Governor General in Council has given careful attention to these representations of the Government of Bombay, and has directed me to state that, although the Government of India is not at present in a position to promise a larger assignment of funds for Public Works in 1864-65 than has been named, yet, if more money should ulti-mately prove to be available, the immediate and pressing wants of the Bombay Presidency shall be fully and fairly considered.

- 5. In the mean time His Excellency in Council considers it advisable that the Government of Bombay should proceed with the preparation of its Public Works Budget-Estimate in the usual manner, omitting from it all new works not yet begun that are not absolutely and urgently needed, and, for works already in progress, maintaining the rate of expenditure for 1864-65 which is entered in the lists now submitted in those exceptional cases only where either it is of pressing public importance to push on a work as expeditiously as possible, or when delay in its progress may be expected to cause a material enhancement of the total cost. In all other than such exceptional cases, the Budget-Estimate should provide for a minimum expenditure on this class of works.
- 6. The Government of India would readily have acted in accordance with the desire expressed by His Excellency the Governor of Bombay in Council that the Government of India should itself specify the works on which expenditure should be reduced or stopped if more money is not available, had it been possible to do so. But an examination of the lists has shown that such a course cannot be followed generally with any advantage, and it must of necessity devolve on the Government of Bombay to undertake this duty of revision. In the case of the Military works only has it appeared to the Governor General in Council that any comments can usefully be made, and these for convenience of reference will be communicated in a separate despatch.
- 7. I am further desired to remark that, after giving full consideration to the circumstances adverted to in the 13th para. of your letter, in which the large demands made by the Bombay Government, considered relatively to those of other Governments, are sought to be justified, the Governor General in Council is constrained to say that he thinks the requirements of the Bombay Presidency in the matter of Public Works are urged to an extreme point, and with some want of considera-tion for the responsibility which lies upon the Government of India both in respect of the general administration of the finances of the Empire, and also in respect of its obligation to see that the amount which can be assigned annually for public works from the imperial revenues is allotted to the several Provinces of India with a reasonable and fair regard to the claims of each. His Excellency the present Governor of Bombay having taken a part in the administration of the general govern-ment of the Empire previously to his appointment to the high office he now fills, must be well aware of the difficulties and the responsibility that have to be met by the Governor General in Council in

this matter, and must be sensible that, however urgent the wants of any one Province may be in the matter of public works, it is not possible for the Government of India to undertake to supply them, if to do so would require an allotment from the aggregate sum available for the whole country, which would exceed the amount that a due regard to the wants of other Provinces indicates as fair and proper.

8. In para. 15 of your letter, mention is made of the "balances which are believed to be at the disposal of the Government of India for the improvement of the country generally" as a source from which it is supposed that funds might be provided for new works. The Governor General in Council fears that His Excellency the Governor of Bombay in Council is on this point under some misapprehension. It is probable that reference is made to the permission which was received in 1862 from the Secretary of State to expend three millions from the balances on reproductive public works. Since that period, however, in place of applying the surplus cash balances to public works, seven millions sterling have been applied in England and India to the payment of debt, and the balances do not now stand at the high point at which they were when the Secretary of State made t he communication above referred to.

From Colonel R. Strachey, R. E., Secy. to Govt. of India, P. W. Dept., to Secy. to Govt. of Bombay, in the P. W. Dept. —No. 42 A -1704, dated 12th April 1864.

In continuation of my letters No. 1044, dated 4th March, and No. 39 M-1515, dated 1st April last, in reply to your letter No. 222, dated 10th February, regarding the assignment for public works to the Government of Bombay for the year 1864-65, I am directed to state, for the information of His Excellency the Governor of Bombay in Council, that the Government of India, on consideration of the means at its disposal, has determined to increase the original assignment for ordinary public works at Bombay by a special grant of 20 lakhs,

Rs. 62,00,000 20,00,000 Original grant ... Special Land Fund ... 20.43.300 Mily, new works ... 7,50,000 Total ... 1,09,93,300 irrespective of Rs. 20,43,300 for works to be carried against land sales, and a further special grant of 71 lakhs for new barrack build-

ings for European Troops, making in all nearly 110 lakhs for the year.

2. It is particularly requested that the Budget may be now submitted as early as possible.

From LIEUT. COLONEL M. K. KENNEDY, R. E., Secy. to Govt, of Bombay, in the P. W. Dept., to Secy. to Govt. of India, P. W. Dept.,-No. 964, dated 23rd May 1864.

I am directed to acknowledge the receipt of your letter No. 1044 of the 4th March 1864, conveying the remark of the Government of India on the lists of works actually in progress in this Presidency, submitted with my No. 222 of the 10th February 1864, and directing the framing of a regular Budget based on those lists, with such additions for new works as may be urgently and absolutely needed.

2. I am also directed to acknowledge your Nos.

as per margin,
assigning to
this Presidency the following imperial grants for the year
1864-65:—

Original grant 62 Lakhs.

Special additional grant ... 20 ,,

Ditto for new Barrack buildings for European Troops... 7½ ,,

89½ Lakhs.

Besides the above, an additional grant of Rs. 20,43,300 as a charge against sales of land

Total

- has also been made.

 3. The latter sum is the amount of a Budget prepared by the Rampart Removal Committee, which provides for several of the projected alterations and improvements, consequent on the removal of the old fortifications: and as it is debitable to the sale of land, which will be rendered available for disposal during the progress of the new arrangements, it is proposed in this communication to treat this grant, and the Budget of works, &c., to which it refers, entirely distinctly; and in that view to consider the ordinary imperial grant for the year which has up to the present time been made to this Government, to be as shown above, 89½ lakhs.
- 4. His Excellency in Council, I am directed to say, regrets extremely that a careful consideration of the circumstances of each work now brought forward, has not enabled him to propose any omissions or reductions that would bring the amount of the Budget, which is herewith submit-ted for sanction, within the aggregate of the sums allotted by the Government of India. With every desire to carry out the views of the Gevernment of India in regard to economy to the utmost limit consistent with the growing wants of this Presidency for works of public improvement, the proper administration of the country, the safety, health, and comfort of the European portion of the Army, and the necessary defensive arrangements connected with this rich port, His Excellency in Council has not been able to propose a less expenditure than that which is now provided for; and if the sum required cannot be granted in full, he must leave it to the Government of India to determine how, and in what manner, it should be curtailed: whether by a general percentage reduc-tion, or whether by the omission of such works as the Government of India may think fit to order to be struck out or withdrawn.
- 5. His Excellency in Council, I am desired to say, however, earnestly trusts that the Government of India will be able to provide the means for carrying out the different works precisely as he now proposes; for he is satisfied, after much anxious examination, that no alteration can be made in the way of reducing allotments without sacrificing efficiency, and stopping necessary improvements, and without incurring greatly increased eventual outlay.
- 6. So much has been said on these points during the course of late correspondence, that it seems mere waste of labor to recapitulate arguments which have never been fully replied to, or refuted on their merits; and in regard to the difficulty of providing funds, His Excellency in Council would, I am directed to state, submit that the

rapid extension of communications, and of re-productive works of irrigation, as well as of barracks and other buildings calculated to preserve the health and lives of costly European Soldiers, are of more importance than the diminution of the public debt, and would fully justify the borrowing the capital required to complete them.

7. The proposed appropriations under the mainheads of the Budget now submitted are as follows:—

| | | | | Rs. |
|------------|------|---------------|------|-------------|
| Orginal Wo | orks | | | 91,39,181 |
| Repairs | | *** | | 19,00,358 |
| Establishm | ent | 377 - 144 - 1 | ••• | 14,87,036 |
| Reserve | ••• | C**** | 1000 | 6,00,000 |
| | | Total | | 1,31,26,575 |

8. The detail of original works under the general heads of service is as below:—

| | | | | Rs. |
|--------|---------|------------------------------|-------------|------------------------------|
| | | | *** | 21,29,092 |
| lminis | tration | 100 M | | 4,46,357 |
| | | | | 64,25,284 |
| | | ••• | ••• | 1,38,448 |
| | | Total | ••• | 91,39,181 |
| | | lministration Improvement | Improvement | Iministration Improvement |

9. The entire sum for original works provides for—

Works actully in progress ... 79,50,006 New works ... 11,89,175

Lists showing the great majority of the former, have already been before the Government of India with my letter No. 222 of the 10th February 1864; but in those lists there were a few omissions due to oversight, and several works which it was calculated, when the lists were submitted, would have been completed within the year, have still to be provided for.

10. The general results of the present propositions, as compared with those submitted with my letter No. 222 above mentioned, are as follow:—

| | According to lists previously submitted. | According to the present Estimate. |
|-------------------|--|------------------------------------|
| | Rs. | Rs. |
| Works in progress | 71,24,663 | 79,50,006 |
| Works not begun | 34,78,950 | 11,89,175 |
| Repairs | 15,00,000 | 19,00,358 |
| Establishment | 15,00,000 | 14,87,036 |
| Reserve | 6,00,000 | 6,00,000 |
| Total | 1,42,03,613 | 1,31,26,575 |

showing a total decrease on the former estimate of nearly 11 lakhs, and also showing a very large decrease in the demand for new works.

11. It will thus be apparent, I am directed to say, that this Government have endeavoured to meet the views of the Government of India as far as possible, by confining themselves as much as is in their power to the completion of works actually in hand, as well as by making, as far as was practicable, a reduction in the demand for funds for carrying on the necessary public works business of the country.

From Colonel R Strachev, R. E., Secy. to the Govt. of India, P. W. Dept., to Secy. to Govt. of Bombay,-No. 3.9A-3451, dated Simla, the 27th July 1864.

In continuation of the orders on the Bombay Public Works Budget-Estimate for 1864-65, which have just been issued, I am directed to communicate to the Government of Bombay the following further observations by the Governor General in Council, in reply to your letter No. 964 of the 23rd May last, having reference to previous correspondence upon the same subject, and to certain points connected with the entries in the Budget which appear to the Government of India to call for special comment.

2. I am, in the first place, to observe, with respect to the remarks made in the Bombay letter under reply as to the insufficiency of the funds granted, that, even if it were possible to provide a larger grant than has been given for public works in Bombay during the present year, the Governor General in Council is by no means satisfied that it would be generally beneficial, or compatible with that economical progress of public works, which the Government of India is bound to regard, to allow any increase beyond the grants already provided. The expenditure during the year on public works in the Bombay Presidency will even now, ac-

cording to the • Imperial Budget-Estimate Rs. 1,27,03,300 Local ditto 34,76,010 Railway ditto , 1,92,75,000 estimates, exceed three and a half millions Total ... Rs. 3,54,54,310 sterling.* The

effect of adding sensibly to this large expenditure could hardly fail injuriously to stimulate still fur-ther the already high prices of labor and materials prevailing in the districts of Western India; and His Excellency in Council believes that the public works that can legitimately be undertaken by the Government in a given time, will be carried out in a more satisfactory way, both with regard to efficiency and economy in construction, if the chief projects now in progress are first completed, before the extensive new series of works which appear to be

contemplated are put in hand.
3. The Governor General in Council has noticed in the reports recently received from Bombay, relative to the high prices of food and labor in the west of India, that the great extent to which railways and public works have been carried on in the Bombay Presidency, is generally accepted as one of the most powerful causes of the present abnormal state of prices. It seems difficult to discredit this view of the matter. At the same time, it may be observed that a demand for labor pushed beyond what the country can readily supply, and accompanied by advanced wages, must certainly seriously increase the cost of all work, while it is very likely not to be followed by any corresponding improved progress. A larger sum is earned for a diminished task, and the quantity of work done under such circumstances is very apt to fall off absolutely, so that progress in fact may be retarded rather than advanced, in spite of the increased expenditure. This is not mere specula-

5. So far as concerns the distribution of the surplus funds of the Empire, which the Government of India has already appropriated to public works, a reference to the actual amount of the grants made to the several Provinces, during the past and present year, will conclusively show that there has been every disposition on the part of the Governor General in Council to meet the fair claims of the Bombay Presidency for the provision of funds for carrying on its public works, having due regard to its general circumstances at the present time, which are no doubt somewhat exceptional. The question, if any arises on this point, would rather seem to be whether the other Provinces have not suffered at the expense of Bombay. This Presidency has received, during the last two years, more than one million sterling in excess of the grants made to any other Province, and almost double the amount given to Bengal. The grants are as follows :-

| | 1863-64. | 1864-65. | TOTAL. |
|-----------------|----------|----------|--------|
| | Lakhs. | Lakhs. | Lakhs. |
| Madras | 673 | 721 | 1401 |
| Bombay | 131 | 127 | 258 |
| Bengal | 693 | 621 | 132 |
| N. W. Provinces | 633 | 73 | 1363 |
| Punjab | 563 | 581 | 1151 |

Further, the Government of India does' not consider that any more of the surplus income of the year 1864-65 can, at the present time, be legitimately applied to increase the grant for public The Government of Bombay, being in possession of the general estimates of income and expenditure for the year, is aware that, after providing for the necessary wants of the administration, the chief portion of the available surplus has been devoted to public works, such a margin having been reserved as was deemed necessary, under the circumstances more fully explained in the Financial Statement (vide page 18). The Governor General in Council fully appreciates the advantages of improved roads, of extended irrigation, of barracks better suited to the requirements of the European troops, and, generally, of all those other works which the progress of the administration and of the so ial state of the country demands. But it is plain that such works can only be provided within the limits of the funds that a sound financial system shows to be available; and these considerations obviously apply to all branches of the public administration, as well as to that which the public administration, as well as to that which is concerned with public works.

7. As regards the suggestion thrown out by the Government of Bombay, in para. 6 of your letter, that debt might justifiably be incurred for the purpose of promoting the progress of such works, it is clearly necessary that the policy of such a course should, in the first instance, be considered and recognized by the highest authority before it could be followed, and that, at any rate, no action in this direction could be entered upon

in time to have effect during the current year. The Governor General in Council feels too distinctly the serious responsibility that rests upon him in the management of the public finances, to adopt this proposal without very careful consideration of its relative advantages and disadvantages; and meanwhile the conclusion is inevitable that ne large addition can at present be made to the ordinary grants for public works outlay either in

Bombay or any other Province.

8. Nevertheless, with the view of meeting all reasonable claims and arguments as far as cable, the Government of Bombay, under the orders already communicated on the Budget-Estimate, has been informed that the Government of India, on a final reconsideration of all the circumstances of the case, has determined to place an additional sum, not to exceed ten lakhs of Rupees, at the eventual disposal of the Government of Bombay, under certain conditions which have been named. This conclusion has been adopted in a great measure having regard to the fact that many of the works entered in the Budget have already been commenced, and may be now well advanced towards completion. Hence, in many cases, it may be unthrifty and otherwise objectionable summarily to stop them, or arrest their active progress.

(Extract.)

Papers relative to the operations at Bombay consequent on the removal of the old For-tifications.

Memorandum on the proposals of the Bombay Government as to the Improvements at Bombay, consequent on the removal of the old Ramparts.

The Government of Bombay sends up papers showing what has been done towards carrying out the proposed removal of the old Town Ramparts, and the arrangements proposed for considering the best way of disposing of the ground ob-

tained by the change.

It is proposed to appoint a small Committee of three, as an executive body, to draw up and submit plans, having a larger consultative Committee of the principal officials and commercial men of Bombay whose opinions would be asked on matters of importance. This was the system the Government of India has adopted for dealing with the Calcutta Public Offices.

The Government of Bombay, in nominating the Executive Committee, indicates the objects that will require their attention, which naturally will be very various and need not be recited.

The instructions of the Bombay Government

are mainly of a suggestive character.

There remains one important subject, not very prominently alluded to, but which should be considered at once; viz., the general financial question of how the outlay on these works is to be met and dealt with.

It is stated in the papers sent up that the estimated value of the land that will be at the disposal of the Government of Bombay on the removal of the old fortifications will be about 282 lakhs, say 23 millions. Against this will have to be set off the construction of new Forts on the land front, and barracks to replace those in the town which it is desired to remove, estimated at 20 lakhs, leaving, say, 260 lakhs for general purposes.

Further, there is a long list of public buildings given in the Resolution of the Bombay Government which will have to be provided for. And lastly may be added as a claimant against this fund, the Harbour Defences.

On the whole, it will not be too much to set down roughly 100 lakhs at least, as the probable sum that would be required for these objects. But if the estimated value of the land is at all near the mark, there will still be a large margin to work upon without any demands being likely to arise on the general funds of the State.

The question arises, how shall the receipts arising from the sale of land, and the expenditure, be dealt with so as to bring all the transactions properly within the scope of the Budget system ?

From Lieut, Colonel J. P BEADLE, R. E., Offg. Secy. to Govt. of India, P. W. Dept., to Secy. to Govt. of Bombay, in the P. W. Dept., -No. 1204, dated 17th March 1863.

The Bombay Government's letter No. 6302 of 1862, in the Public Works Department, forwarding papers showing the proceedings taken in dealing with the contemplated removal of the Ramparts of the Town, and laying out the ground that will thereupon become available for building purposes, was laid before the Governor General, and has been carefully considered in due course; and I am now directed by the Hon'ble the President in Council to convey to you the following observa-tions, to which His Excellency the Governor General has expressed his approval, on this important subject.

2. The Government of India approves generally of the steps that have been taken by His Excellency the Governor of Bombay in Council for carrying out the enquiries that will be essential preliminaries to any actual execution of work, and acquiesces in the general tenor of the conclusions of the Bombay Government embodied in its Re-

solution of the 22nd November 1862.

3. Looking, however, to the unprecedented magnitude of the works which it is contemplated to carry on in the Island of Bombay, extending, as they must, over many years to come, and to the importance on the one hand of securing all reasonable freedom in the application of the funds that will be realized by the sale of the land made available, and on the other of maintaining the usual guarantees for the regularity of the expenditure, the Government of India is of opinion that the Bombay Government should adopt the following course of procedure in dealing with the financial part of the question :

First .- To form the best estimate in their power, at the commencement of the operations, of the probable sum to be realized from the Land Sales as well as of the cost of each principal portion of

the projected works.

Second .- To carry the whole of the proceeds of the sales of land, &c., to credit in the Public Accounts as Revenue, but to keep an Account which shall show the aggregate sums realized from this source from time to time.

Third .- To debit the whole of the expenditure in the Public Accounts as charge under the head of Public Works; keeping at the same time a distinct account of the aggregate outlay on the works

approved for execution.

Fourth.—The Government of India will then be prepared to make provision from year to year in the ordinary Public Works Budget, but as a special grant, in addition to the customary or ordinary assignment for Public Works that might be considered suitable for the Bombay Territory generally, having reference to its Revenue and so forth, of such sums as may be expected to be required by the Bombay Government for carrying out these projected works or such of them as may be generally approved by the Governor General in Council, subject to the usual checks in respect to sanction of Estimates, &c., and to the further condition that at no time shall the Imperial Treasury be liable to contribute any such special grants in excess of the surplus of the aggregate of the receipts from the sales of land over the aggregate expenditure on the works in question.

4. It has been thought expedient by the Government of India to give this early intimation of its views on the financial part of this question, al-

* See his Minute "on Land Defences and removal of the present Ramparts of Bumbay."

* See his Minute "on Observed that Sir W. Mansfield* had proposed that a Budget, apart from the ordi-

Budget, apart from the ordi-

nary Public Works Budget, should be prepared for the improvement and fortifying of Bombay, and that the balance yearly accruing from the Land Sales, in excess of what was spent on the works, should be transferred to the Treasury. His object in suggesting this is thus explained by him: "I do not mean by this to alienate the question of expenditure on these works from the general Budget of the Empire, but merely to take precau-tions that the resources we provide for our works by a large scheme, without trenching on ordinary Revenue, may not be absorbed and devoted to other purposes until the works are finished."

5. The Bombay Government has not advocated such an exceptional manner of dealing with this expenditure, but it may at once be observed that the Government of India considers such a course to be unnecessary, and for many reasons objectionable; and that, by following the course laid down in the early part of this letter, the securities for an exact financial administration provided by the established system of estimate, account, and audit, will be satisfactorily applied; while the Government of Bombay will have full assurance that all the funds required for carrying on the works will be provided, year by year, so far as means become available, by the sale of land. Beyond this the Government of India can offer no pledge to supply the requisite money, but thus far it admits readily the claims of the Bombay Government to apply the special fund thus created to the special objects in view.

From Lieut. Colonel J. P. BEADLE, R. E., Offg. Secy. to Govt. of India, P. W. Dept., to Secy. to Govt. of Bombay, in the P. W. Dept.,—No. 1205, dated 77th March 1863.

I am commanded by the Hon'ble the President in Council, with reference to Government of India Proceedings No. 1204 of this date, on the subject of the Improvements to be carried out at Bombay consequent on the removal of the old Ramparts, to request that you will move His Excellency the Governor to cause an Estimate to be prepared of the sum expected to be realized from the sales of land within the year 1863-64, and of the amount expected to be required for each work, forming part of the projected improvements, within the same period.

2. As this Statement is required to be included in the Budget for 1863-64, I am to request that

it may be furnished to the Financial Department of this Government with the least practicable delay.

Extract from the Proceedings of the Govt. of India, in the Finl. Dept.,—No. 516, dated 2nd June 1864.

Dept.,—No. 516, dated 2nd June 1864.

Read endorsement from the Public Works Department,
No. 13A—1470. dated 30th March, forwarding for
consideration, with reference to its previous endorsement of the 17th March 1863, No. 1204 A. a letter
from the Government of Bombay. No. 182 of 1864,
dated 25th February, enclosing Budget Statements
received from the "Rampart Removal Committee"
of works on which expenditure is to be incurred in
1863-64, as also a General Statement of the probable
receipts and disbursements of the Committee during
that year, together with a Note on the case by
Colonel Strachey, the Secretary in the Public Works
Department. Department.

RESOLUTION.—The Governor General in Council observes that the course to be adopted in reference to the important system of works for the improvement of the City of Bombay, carried on under the superintendence of the "Rampart Removal Committee," was laid down, after much consideration, in the letter from the Public Works Department to the Government of Bombay, No. 1204, dated 17th March 1863.

2. These instructions were based upon the principle that the expenditure was to be limited by the actual proceeds of the sales of land and buildings, and that, while every reasonable discretion would be allowed in regard to the detailed operatration provided by the established system of estimate, account, and audit, were to be fully applied.

3. For this purpose the Government of Bom-

bay was requested-

1st. - To form the best estimate in its power at the commencement of the operations, of the probable sum to be realized from the land sales, as well as of the cost of each principal portion of the projected works.

2nd .- To carry the whole of the proceeds of the sales of land, &c., to credit in the Public Accounts as Revenue, but to keep an account which should show the aggregate sums realized from this

source from time to time.

3rd .- To debit the whole of the expenditure in the Public Accounts as charge under the head of Public Works, keeping at the same time a distinct account of the aggregate outlay on the works approved for execution, and, subject to these conditions, it was stated that "the Government of India will then be prepared to make provision, from year to year, in the ordinary Public Works Budget, but as a special grant, in addition to the customary or ordinary assignment for Public Works that might be considered suitable for the Bombay Territory, generally, having reference to its Revenue and so forth, of such sums as may be expected to be required by the Bombay Government for carrying out these projected works, or such of them as may be generally approved by the Governor General in Council, subject to the usual checks in respect to sanction of Estimates, &c., and to the further condition that at no time shall the Imperial Treasure be liable to contribute any such special grants in excess of the surplus of the aggregate of the receipts from the sales of land over the aggregeat expenditure on the works in question."

4. A Statement has now been received from the Government of Bombay, of the probable receipts and disbursements of the "Rampart Removal Committee" for the year 1863-64.

The estimated expenditure

within the year is ... Rs. 4,51,250

The following advances have been made from public funds:—

Special loan from Government (20,000 & 50,000)

Advanced from the pro-

dvanced from the proceeds of the sale of the old European General Hospital ... , 1,48,405

Total ... Rs. 2,18,405

and the following sums are stated as the expected receipts within the year:—

To amount derivable from sale of old materials ... Rs. 20,000

Do. from sale of lands, 5,750 square yards, at Rs. 75 per yard ... , 4,31,250

Total ... Rs. 4,51,250

But, with reference to the latter, the Government of Bombay explain that no leases of building sites have yet been sold on account of the tightness of the money market, and because no approved forms of leases have been received from the Secretary of State.

5. As regards the transactions of the past year, the Governor General in Council requests—

1st.—That all sums in deposit, on account of the sale of land or buildings belonging to the Government, may at once be credited to Revenue as "incidental receipts of the Public Works Department." This should include the proceeds of the sale of the old European General Hospital, the proceeds of "certain small plots of ground in the Fort and other localities (Rs. 1,11,000)," and all other similar deposits; and

2nd.—That an account may be furnished of the actual receipts and expenditure up to the close of 1863-64, showing the balance due to the Govern-

ment.

6. As regards the current year 1864-65, the Government of Bombay has reported that Rs. 25,00,000 is expected to be realized in the course of the year by the sale of lands on the Esplanade, and that the sum required for the public buildings at Bombay is Rs. 20,43,300. The first-mentioned sum has accordingly been included in the Budget Estimate of Public Works Receipts, and the latter provided for under Public Works Expenditure.

7. The manner in which it is proposed to spend the above-mentioned sum of Rs 20,43,300 will of course be shown in the Budget Estimate submitted in the Public Works Department; but the Governor General in Council considers it very essential that the Government of India should receive early information as to the steps which it is intended to take for the realization within the current year of the estimated sum of 25 lakhs of Rupees, and at what periods of the year and in what proportions it is expected to be obtained.

8. If there are special causes still existing to prevent the immediate realization of a portion of this money, it is obvious that all fresh expenditure will continue to be met by advances from the General Revenues, as has been already the case in the past year. Possibly a temporary anticipation to

some moderate extent of the receipts, by means of which the Bombay Government has proposed specially to provide for this great work, may be unavoidable, but the Governor General in Council must beg that the actual state of the case at the present time may be accurately explained, and that if the Bombay Government considers it necessary for the present to prosecute the work in hand by means of further advances from the General Revenues, it may be explicitly so stated, and the amount required named.

9. The receipt of 25 lakhs from the sale of land having been included in the Budget Estimate of the year, His Excellency the Governor in Council will perceive that, if there is any prospect of a failure to realise that income, or even any part of it, it is most essential that the Government of India should be informed, and that it should be at once considered to what extent the works can in that case expediently be carried on during the

year.

From Colonel R. Strachey, R. E., Secy. to Govt. of India, P. W. Dept., to Secy. to Govt. of Bombay, in the P. W. Dept.,—No. 544 A—4656, dated 21st September 1864.

It has been brought to the notice of the Governor General in Council by the Accountant General, in the Public Works Department, that the Government of Bombay has authorized establishments in connexion with the operations of the Rampart Removal Committee, amounting to Rs. 2,328 monthly, for which the sanction of the Government of India has not been obtained in the usual course. The Controller of Public Works Accounts at Bombay is in doubt whether he is authorized to continue to audit disbursements for these establishments; and observes that it is contrary to rule to charge salaries against the Budget credits for Works, which course seemed to him to have been ordered by the Bombay Government in opposition to the instructions of the Government of India.

2. The Governor General in Council is of opinion that, under the orders contained in the Government of India's letter No. 1204, dated 17th March 1863, it is necessary that the whole of the expenditure incurred under the Rampart Removal Committee should be dealt with in the ordinary Public Works Budget, and under the ordinary rules that regulate the expenditure of Public Works Funds.

3. The whole of the Estimates for works should be brought forward in Part I or Part II of the general Public Works Budget, according as they may be for original works or for repairs; and the whole of the establishments in Part III. The appropriations for these major heads must be regarded as fixed when approved by the Government of India, and alterations in them will call for special sanction of the Government of India, as much in the case of works under the Rampart Removal Committee as in those under the ordinary Public Works Officers.

4. It seems to be again necessary to remind the Bombay Government that it is the wish of the Governor General in Council that there shall be but one Public Works Budget-Estimate only for all the Public Works expenditure at that Presidency. There will be no objection to the Government of Bombay indicating in the general Budget-Estimate in any manner most convenient to itself those works and charges that are connected with the operations of the Rampart Removal Com-

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mittee; but the whole of them must find places in the general Budget-Estimate of this Department under the three main heads of Original Works, Repairs, and Establishments, under which the final appropriations are made by the Government of India. The reasons for which this course is deemed necessary for financial regularity have already been explained to the Government of Bombay, and the orders on the subject have been specifically approved by Her Majesty's Government.

- 5. As a necessary and obvious sequel to these orders, it is requisite that all needful specific sanctions to outlay shall be obtained from the Government of India in the case of the Rampart Removal Committee's operations in the same manner as in the operations of the ordinary Public Works Department. The nature of the Budget system as applied to the Public Works Department requires this. Works and establishments that might be sanctioned by His Excellency the Governor of Bombay in Council in the ordinary working of the Public Works Department, may be sanctioned in connexion with the Rampart Removal Committee's operations; and in those cases in which the approval of the Government of India is requisite in the former case, it will be requisite in the latter also.
- 6. I am directed to add that, although this procedure is enjoined on the Government of Bombay, it is the desire of the Government of India to leave to His Excellency the Governor of Bombay in Council the largest possible discretion in the application of the funds available for these special purposes.
- 7. As regards works, all objects proposed, which the Government of India considers fairly within the scope of such operations as those now in hand at Bombay, will be passed without any disposition to question the details of construction or exact cost.
- 8. As regards establishments, a like course will be pursued. The specific rules of the Public Works Department as to the limitation of salaries or allowances will not be insisted on in this case, and the Bombay Government will find the Governor General in Council on all occasion disposed to accede to every reasonable proposal submitted for approval.
- 9. At the same time it seems to the Governor General in Council quite as necessary to insist on an exact adherence to fundamental financial rules in the actual disbursements for these works as for any others. No works should, under any circumstances, not really and bond fide emergent, be commenced without properly sanctioned estimates. No salaries should be disbursed without proper previous sanction. A complete distinction should be made between the charges for works and establishments, and these should be exclusively debited to the proper Budget main head of service. Unless strict adherence to these great points is enforced, the Governor General in Council feels assured that proper economy in the disbursements and regularity in the accounts cannot be maintained.
- 10. With these remarks I am to request the submission for sanction by the Government of India, of such a scale of establishment as the Government of Bombay may desire to propose for the supervision of the operations in question.

From Lieur. Colonel M. K. Kennedy, R. E., Secy. to Govt. of Bombay, P. W. Dept., to Secy. to Govt. of India, P. W. Dept., .-No. 1418, dated 30th July 1864.

I am directed to acknowledge the receipt of Extract from the Proceedings of the Government of India in the Financial Department, No. 516, dated 2nd June 1864, conveying certain instructions on a communication from this Government relating to the statement of the probable receipts and disbursements of the Rampart Removal Committee, Bombay, during the past official year.

2. In reply I am directed to state that the course laid down in paras. 1 to 3, relating to the mode in which receipts and expenditure on the improvement to the City of Bombay should be accounted for, is fully understood by this Government, in the Public Works Department, and will be carefully acted on.

- 5. The Rampart Removal Committee's Budget for the current year has been long delayed for various reasons with a detail of which it would be useless to trouble the Government of India, but it is now under review, and will be submitted in the course of a few days; and more precise information regarding the probable receipts on account of the sale of land during the current year, will be afforded after the first trial sales, which are fixed to take place during the ensuing month. It has yet to be seen what market there is in Bombay for land let on building lease under the usual conditions; but the experiment of the trial sales now about to be made will afford necessary data for more exact calculation than has hitherto been practicable, and will show, if any, and what, modifications of terms are necessary in putting up the lots to auction.
- 6. Should, from any causes which are at present unforeseen, the result of the sale be less favourable than is anticipated, and should, for any good reason, which in that case will be made plain to the Government of India, it be considered desirable to suspend or defer the sales, this Government will thankfully avail themselves of the liberal arrangements which have been proposed by the Government of India in their Financial Resolution under notice, by which moderate advances will continue to be made from the general revenue. On this point the precise information called for by the Government of India will be hereafter furnished.
- 7. The information called for in para. 5, clause 2, regarding actual receipts and disbursements during the past year, shall, I am desired to say, be supplied shortly.
- 8. I am now directed to forward, for the information of the Government of India, a general sketch estimate by the Rampart Removal Committee, of the total probable receipts and disbursements consequent on the arrangements for carrying out the improvements of the City of Bombay on the removal of the Ramparts. This document will put the Government of India in possession of the general programme it is intended to follow, though of course many alterations may, and no doubt will, be made as the improvements proceed.
- 9. From this statement it will be observed that the proceeds of the sale of lands are estimated, at a very moderate rate, to amount to upwards of 200 lakhs, against which there is a proposed expenditure of about 180 lakhs; and His Excellency the Governor in Council trusts that this statement will assure the Government of India that all that it is contemplated to undertake will be covered

by the amount of funds that will certainly be realized, leaving in fact a very considerable margin for

unforeseen contingencies.

10. In illustration of this statement I am directed to attach a lithographed copy of a plan showing approximately the position of the various new public buildings contemplated—the proposed arrangement of the Esplanade—roughly the boundary lines of the neighbouring Reclamation—the two Termini of the trunk lines of Railway—and the position of the principal land and sea defences. On this map the position of the plots of land it is intended to sell are also indicated.

11. In further illustration a bird's-eye view of the city and its neighbourhood is forwarded, which shows, though of course only approximately, the aspect which Bombay will assume when all that is now contemplated has been carried to a successful

conclusion.

12. This map and the accompanying drawing will, it is hoped, put the Government of India clearly in possession of the general intention of this Government in regard to these works, and very much facilitate any reference that may afterwards arise in regard to details. If the plans will do nothing else, they will at least serve to fix ideas, and form the basis for after-proceedings and adjustments.

From Colonel R. Strachev, R. E., Secy. to Govt. of India, P. W. Dept., to Secy. to Govt. of Bombay, in the P. W. Dept.,—No. 658A—5185, dated 2nd November 1864.

Your letter No. 1418, dated 30th July, forwarding for the information of the Government of India a general sketch of the proposed operations of the Rampart Removal Committee, with an approximate estimate of the receipts from the sale of the land which will be available on the removal of the old fortifications, and of the manner in which it is contemplated to apply the fund thus formed, has been received and read with much interest by

the Governor General in Council.

2. The Government of India does not doubt that the great works which are described will, on their completion, add very much to the conve-nience of the community at Bombay, both official and non-official, and the Governor General in Council feels every confidence that His Excellency the Governor of Bombay in Council will continue to direct the operations in a manner that will, before long, give solid practical proof of the immense advantages to the public that will attend this reconstruction of the European portion of the city. The Government of Bombay has an opportunity of producing great results in these works, which is rarely enjoyed by any Government, and the Gov-ernor General in Council cordially hopes that its efforts and those of the wealthy and spirited community residing in the Island of Bombay may be erowned with the most complete success in handing down to posterity a Western Capital, in all respects worthy of its proud position, and combin-ing with architectural effect the great requisites

of convenience and salubrity.
3. It has been stated by the Government of India on former occasions that there will be every disposition on its part to co operate in the prosecution of the great work thus before the Government of Bombay, and the Governor General in Council now desires to accord his general approval to the proposals that have been put forward, subject to some few reservations to which I am to request attention. The present opportunity may

further usefully be taken to express the opinion of the Government of India on the general outlines of the anticipated expenditure, and the principles that should determine the character of the projected

works.
4. The estimated assets are reckoned at about 2 millions sterling, the corresponding outlay being about £1,800,000, leaving a margin of say £200,000.

It is observed that no charge has been entered for establishments, though the expenditure under this head will no doubt be considerable. The estimate for the works may, however, be intended to

include this item of outlay.

5. The receipts from the sale of land are apparently calculated on the whole area to be operated on, a corresponding charge being made under each of the separate items in the estimate of expenditure. This may be the most convenient way of exhibiting the virtual outlay, but of course the actual cash transactions will be sensibly less than the figures shown. The reduction in the assets on this account will be from 2061 lakhs to 158 lakhs, and in the outlay, from 180 lakhs to 1311 lakhs; the value of the land assigned for the public buildings being 481 lakhs,

6. It is further noticed that the estimate seems only to deal with the land set free on the old Esplanade, and to take no note of the value of the land to be reclaimed on Moody Bay. In like manner, the charges connected with that reclamation are not exhibited, and, what is no less important, the cost of the harbour fortifications has been

7. The Governor General in Council observes that it has throughout been the intention of the Government of India that all the operations on the Island of Bombay connected with these great local improvements, should be regarded as forming parts of one general scheme, and in a correspond-ing manner that all the money obtained from land sales should be reckoned as going to one fund to meet the charges. It is probable that the omissions just referred to, when corrected, may not lead to any important disarrangement of the balance between the estimated assets and outgoings, and under any circumstances it will now suffice to refer to the point as one calling for attention.

8. I am to add, with reference to the Harbour Defences, that in the estimation of the Governor General in Council their cost should apparently form a first charge against the fund created by the sale of land for local improvement. The sum to be applied to these works may be regarded as a Reserve or Insurance Fund, devoted to the protection of the great commercial interests located at Bombay. And considering that the bulk of the money available for the operations under review will be derived from a modification of the old system of Military defence which is now no longer suitable, it is but reasonable first to meet the new requirements for the general safety of the city and port in such respects from the funds supplied from the old works, and to regard the remainder only as susceptible of application to other wants.

9. The distribution of the projected outlay between Civil and Military buildings is as follows :-

Military 64½ lakhs, ... 105½ " Civil

[Here follow remarks on the details of the proposals for